



**AGENDA
PLANNING & ZONING COMMISSION
TUESDAY, AUGUST 23, 2016**

The Planning and Zoning Commission will convene into a Work Session at 6:00 p.m. in the in the City Hall Conference Room at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

- i. Call to Order.
- ii. Discuss items on the regular agenda.
- iii. Adjourn.

The Planning and Zoning Commission will convene into a Regular Meeting at 6:30 p.m. in the City Hall Chambers at the Municipal Center, 4000 Main Street, Rowlett, at which time the following items will be considered:

A. CALL TO ORDER

1. Update Report from Staff.

B. CONSENT AGENDA

1. Consider action to approve the minutes of the Planning and Zoning Commission meeting on August 9, 2016.
2. Consider and take action on a Final Plat for the Harmony Hill Addition, located in the northwest quadrant of the City bounded to the northeast by President George Bush Turnpike and to the southwest by Merritt Road, further described as 19.585 +/- acres of land situated in the McKinney & Williams Survey, Abstract No. 1015, City of Rowlett, Dallas County, Texas.
3. Consider and take action on a Preliminary Plat for Canterbury Cove, located at 3399 Chiesa Road, further described as 21.79 +/- acres in the James Hobbs Survey, Abstract No. 571, City of Rowlett, Dallas County, Texas.

C. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Conduct a public hearing and make a recommendation on a request for a Special Use Permit to allow a restaurant with a drive-through at 3101 Lakeview Parkway further described as being Lot 2, Block A, of the Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas. (SUP136-2016)
2. Conduct a public hearing and make a recommendation on a rezoning request from Commercial/Retail Highway (C-3) and Park Zoning Districts to the Urban Village Form Based Zoning

District (UV-FB). The subject properties are located at 4500 and 4800 Main Street, and 3801 President George Bush Hwy, further described as being 57.61+/- acres in the William Crabtree Survey, Abstract #347, and Lot 1, Block A, Kirby Elevated Tank Addition, City of Rowlett, Dallas County, Texas.

3. Conduct a public hearing and make a recommendation on amendments to Sections 77-512 and 77-1100 of Rowlett Development Code as it pertains to Directional Kiosk Signage.
4. Consider and make a recommendation to City Council regarding a tree mitigation plan and related tree removal permit application for more than three trees associated with Evergreen Senior Living. The subject property is located at 5611 Old Rowlett Road, further described Lot 1, Block 1, Evergreen at Rowlett Addition, City of Rowlett, Dallas County, Texas.

D. ADJOURNMENT

NOTE: THE PLANNING AND ZONING COMMISSION MAY RETIRE AND CONVENE INTO EXECUTIVE, CLOSED SESSION ON ANY MATTER RELATED TO ANY OF THE ABOVE AGENDA ITEMS FOR THE PURPOSES OF PRIVATE CONSULTATION WITH THE CITY ATTORNEY UNDER SECTION 551.071 OF THE TEXAS GOVERNMENT CODE.

NOTE: THE CITY OF ROWLETT MEETING ROOMS ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT FOR FURTHER INFORMATION.



Garrett Langford, Principal Planner

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:15 P.M., AUGUST 9, 2016**

WORK SESSION

PRESENT: Chairman Michael Lucas, Vice Chairman Jonas Tune, Commissioners Chris Kilgore, James Moseley, Lisa Estevez, Alternates Stephen Ritchey, Kim Clark

ABSENT: Commissioner Thomas Finney, Alternate Jason Berry

STAFF PRESENT: Principal Planner Garrett Langford, Senior Planner Patricia Gottilly-Roberts, Planner I Katy Goodrich, Development Services Coordinator Lola Isom

i. Call to Order

Chairman Michael Lucas called the Work Session to order at 6:16 p.m.

ii. Discuss items on the regular agenda.

Principal Planner Garrett Langford reminded the Commissioners that the deadline for all Boards and Commissions to reapply will be August 26, 2016. He provided a City Council action update in regards to the approval of the Tree Survey/Preservation Plan for Manors on Miller. He also stated that there would be a Planning and Zoning Commission meeting held on August 23, 2016.

iii. Adjourn

Chairman Lucas adjourned the Work Session at 6:19 p.m.

REGULAR MEETING

A. CALL TO ORDER

Chairman Lucas called the Regular Meeting to order at 6:19 p.m.

1. Update Report from Staff.

The update was provided during the Work Session.

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE PLANNING & ZONING COMMISSION
OF THE CITY OF ROWLETT, TEXAS, HELD IN THE MUNICIPAL CENTER
4000 MAIN STREET, AT 6:15 P.M., AUGUST 9, 2016**

B. CONSENT AGENDA

Chairman Michael Lucas requested that Item B.2. be pulled from the Consent Agenda.

- 1. Consider action to approve the minutes of the Planning and Zoning Commission meeting on July 26, 2016.**

Vice Chairman Jonas Tune made a motion to approve Item B.1. Commissioner Lisa Estevez seconded the motion. The motion passed with a 7-0 vote.

- 2. Conduct a public hearing and take action on a Final Replat for Amesbury Addition, located at 7801 Lakeview Parkway further described as being a part of Lot 2, Block A, Amesbury Addition, City of Rowlett, Dallas County, Texas.**

Mr. Langford provided a brief summary of the replat request and stated that it was not associated with any development and was only to subdivide the property.

Chairman Michael Lucas opened the public hearing.

No speakers came forward.

Chairman Michael Lucas opened the public hearing.

Commissioner Chris Kilgore made a motion to approve the item. Commissioner James Moseley seconded the motion. The motion passed with a 7-0 vote.

C. ADJOURNMENT

Chairman Lucas adjourned the meeting at 6:21 p.m.

Chairman

Secretary



City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 8/23/2016

AGENDA ITEM: B2

AGENDA LOCATION:

Consent Agenda

TITLE

Consider and take action on a Final Plat request for the Harmony Hill Addition, located in the northwest quadrant of the City bounded to the northeast by President George Bush Turnpike and to the southwest by Merritt Road, further described as 19.585 +/- acres of land situated in the McKinney & Williams Survey, Abstract No. 1015, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Daniel Acevedo, Urban Designer

SUMMARY

The Final Plat is one of the last steps in the development process when the proposed subdivision is approved upon meeting all applicable development requirements. In the case of Harmony Hill, the project is being platted as 5 lots to accommodate phase one and provide for open space lots (Attachment 1 – Proposed Final Plat). The intended use of the property is a 324-unit mixed residential development.

BACKGROUND INFORMATION

The subject property (Attachment 2- Location Map) was zoned Form Based Urban Village (FB-UV) in November 2013 at the property owner's request. It should be noted that once zoning is established the FB-UV District allows mixed residential buildings by right and an administrative approval process. To that end, the Development Plans associated with Harmony Hills (which includes site plan, landscape/open space plan, tree mitigation plan, façade plan, building sections, a utilities/fire/ mechanical plan, and photometric plan) were administratively approved on July 21, 2014. Currently, Harmony Hill is under construction and the final plat is one of the last steps in the process in receiving a certificate of occupancy.

DISCUSSION

Section 77-806 of the Rowlett *Development Code (RDC)* states that the Planning and Zoning Commission may only approve a final plat when the following criteria are met.

- (a) Conforms to Chapter 77-600, Subdivision and land development, and any regulations adopted pursuant to that chapter;
- (b) Promotes the public health, safety and welfare;

- (c) Provides for the proper arrangement of streets in relation to existing or proposed streets;
- (d) Provides for the efficient movement of vehicular and pedestrian traffic;
- (e) Ensures adequate and properly placed utilities;
- (f) Provides access for firefighting apparatus as determined by the fire marshal;
- (g) Provides light and air and avoids congestion;
- (h) Facilitates the orderly and efficient layout and use of the land; and
- (i) Furthers the goals and policies of the comprehensive plan and the city council.”

In addition to the RDC standards, the FBC requires that plats in the FB Districts will ensure public access easements over sidewalk areas. The FBC also requires that developments provide privately maintained, but publically accessible open space. To that end, the required open space areas and sidewalks have been shown in open space access easements. In addition companion language is included on the plat that clearly indicates that public access is permitted in these areas. The maintenance of the open space and amenity zone (including the sidewalks) will be further detailed in the required development agreement, which is currently under review.

City Staff from the Planning and Engineering Divisions as well as the Fire Marshal’s Office have reviewed the plat for compliance. It is their opinion that all of the above criteria have been met.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

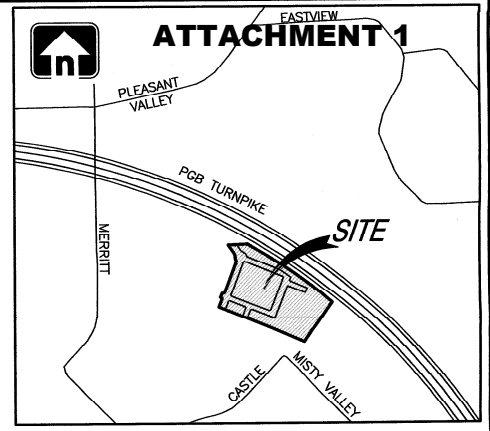
RECOMMENDED ACTION

Staff recommends approval of the Final Plat.

ATTACHMENTS

Attachment 1- Proposed Final Plat

Attachment 2- Location Map



VICINITY MAP
N.T.S.

* LEGEND *

I.R.	IRON ROD
FND.	FOUND
VOL.	VOLUME
PG.	PAGE
CAB.	CABINET
C.C.	COUNTY CLERK
INSTR.	INSTRUMENT
DOC.	DOCUMENT
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
P.R.D.C.T.	PLAT RECORDS, DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY

CITY APPROVAL CERTIFICATE

This plat is hereby approved by the Planning and Zoning Commission of the City of Rowlett, Texas

Chairman, Planning and Zoning Commission _____ Date _____

ATTEST: _____

Signature _____ Date _____

Name & Title _____

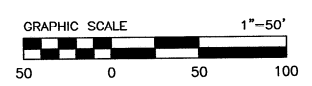
The Director of Development Services of the City of Rowlett, Texas hereby certifies that to the best of his/her knowledge or belief, this subdivision plat conforms to all requirements of the Code of Ordinances and with engineering construction standards and processes adopted by the City of Rowlett, Texas as to which his/her approval is required.

Director of Development Services _____ Date _____

ATTEST: _____

Signature _____ Date _____

Name & Title _____



- NOTES:
- NO PORTION OF THIS PROPERTY IS LOCATED WITHIN THE 100-YR FLOOD PLANE AS SHOWN ON MAP NO. 4811300230K, DATED JULY 7, 2014.
 - BASIS OF BEARING IS NORTH AMERICAN DATUM OF 1983 (NAD-83) STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL.
 - SEE SHEET 3 FOR ABANDONMENT DETAILS FOR EXISTING EASEMENTS.
 - ALL PROPERTY CORNERS ARE SET 1/2" IRON RODS WITH "GN" CAP UNLESS NOTED OTHERWISE.
 - X-LOTS ARE OPEN SPACES, AND HAVE BLANKET PUBLIC ACCESS, DRAINAGE, WATER, SANITARY SEWER EASEMENTS.
 - LOTS 4 & 5, BLOCK A, ARE OPEN SPACES.
 - OPEN SPACES ARE TO BE PRIVATELY MAINTAINED & PUBLICLY ACCESSIBLE.
 - SUBJECT PROPERTY IS ZONED URBAN VILLAGE.

OWNER/APPLICANT:
HARMONY HILL LAND, LLC
8200 DOUGLAS AVENUE, SUITE 300
DALLAS, TEXAS 75225
(214) 750-1800 PH
MR. PHILLIP HUFFINES

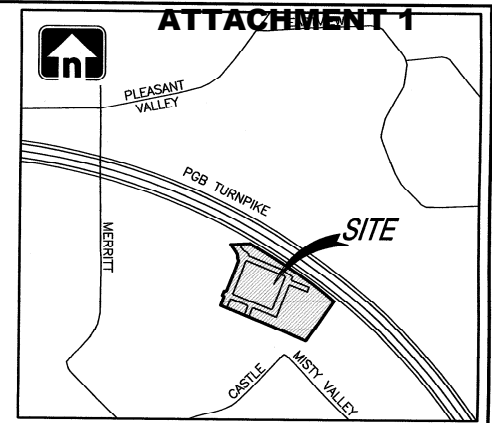
OWNER/APPLICANT:
BENBROOK WINCHESTER, LP
8200 DOUGLAS AVENUE, SUITE 300
DALLAS, TEXAS 75225
(214) 750-1800 PH
MR. PHILLIP HUFFINES

ENGINEER/SURVEYOR:
GRAHAM ASSOCIATES, INC.
600 SIX FLAGS DRIVE, SUITE 500
ARLINGTON, TEXAS 76011
(817) 640-8535 PH
MR. MIKE PETERSON R.P.L.S.

**HARMONY HILL ADDITION
FINAL PLAT
LOTS 1-5, X-1, X-2, BLOCK A**
19.565 ACRES / 852,251 S.F.
MCKINNEY & WILLIAMS SURVEY, ABSTRACT NO. 1015
& WALTER CARUTH SURVEY, ABSTRACT NO. 363
CITY OF ROWLETT, DALLAS COUNTY, TEXAS
AUGUST 2016



Graham Associates, Inc.
CONSULTING ENGINEERS & PLANNERS
600 SIX FLAGS DRIVE, SUITE 500
ARLINGTON, TEXAS 76011 (817) 640-8535
TYPE FORM F-1190T/PLS FORM 101326-03

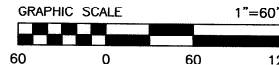


VICINITY MAP
N.T.S.

* LEGEND *

I.R.	IRON ROD
FND.	FOUND
VOL.	VOLUME
PG.	PAGE
CAB.	CABINET
C.C.	COUNTY CLERK
INSTR.	INSTRUMENT
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O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
R.O.W.	RIGHT-OF-WAY

- NOTES:
1. NO PORTION OF THIS PROPERTY IS LOCATED WITHIN THE 100-YR FEMA FLOOD PLANE AS SHOWN ON MAP NO. 481300230K, DATED JULY 7, 2014.
 2. BASIS OF BEARING IS NORTH AMERICAN DATUM OF 1983 (NAD-83) STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL.
 3. SEE SHEET 3 FOR ABANDONMENT DETAILS FOR EXISTING EASEMENTS.
 4. ALL PROPERTY CORNERS ARE SET 1/2" IRON RODS WITH (GN) CAP UNLESS NOTED OTHERWISE.
 5. X-LOTS ARE OPEN SPACES, AND HAVE BLANKET PUBLIC ACCESS, DRAINAGE, WATER, SANITARY SEWER EASEMENTS.
 6. LOTS 4 & 5, BLOCK A, ARE OPEN SPACES.
 7. OPEN SPACES ARE TO BE PRIVATELY MAINTAINED & PUBLICLY ACCESSIBLE.
 8. SUBJECT PROPERTY IS ZONED URBAN VILLAGE.



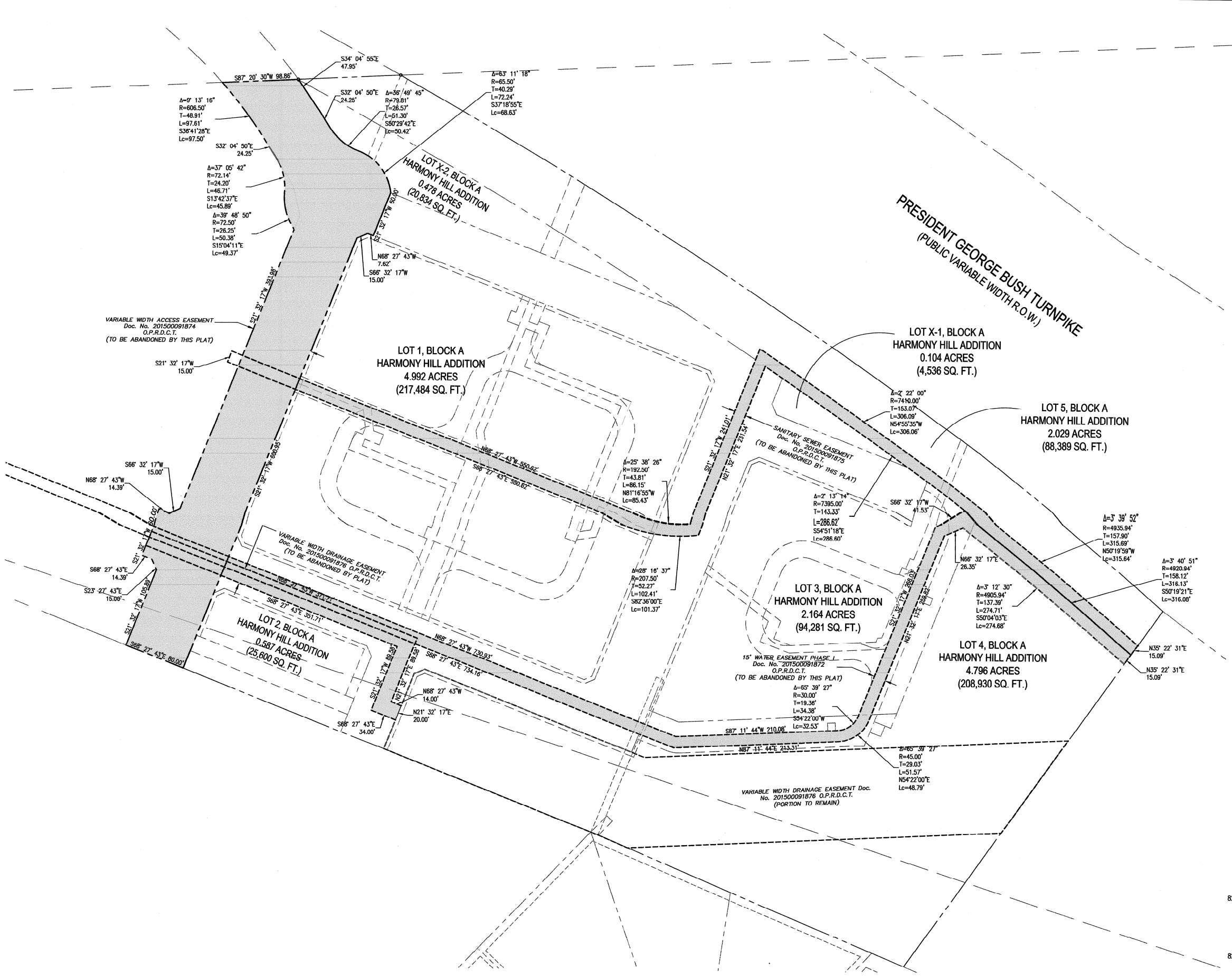
OWNER/APPLICANT:
HARMONY HILL LAND, LLC
8200 DOUGLAS AVENUE, SUITE 300
DALLAS, TEXAS 75225
(214) 750-1800 PH
MR. PHILLIP HUFFINES

OWNER/APPLICANT:
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CITY OF ROWLETT, DALLAS COUNTY, TEXAS
AUGUST 2016

 **Graham Associates, Inc.**
CONSULTING ENGINEERS & PLANNERS
600 SIX FLAGS DRIVE, SUITE 500
ARLINGTON, TEXAS 76011 (817) 640-8535
TYPED FORM: P-1100/TPPLS FORM: 101538-00



ABANDONMENT DETAIL

STATE OF TEXAS §
COUNTY OF DALLAS §

WHEREAS, Harmony Hill Land, LLC and Benbrook Winchester, L.P., are the Owners of a tract of land situated in the McKinney & Williams Survey, Abstract No. 1015 and the Walter Caruth Survey, Abstract No. 363, Dallas County, Texas, and being all of a tract of land conveyed to Harmony Hill Land, LLC., as recorded in Document No. 20150009187, Official Public Records, Dallas County, Texas (O.P.R.D.C.T.), and also being a portion of tract of land conveyed to Benbrook Winchester, L.P., as recorded in Volume 94194, Page 2246, Deed Records, Dallas County, Texas (DRDCT), and being more particularly described as follows:

BEGINNING at a found North Texas Tollway Monument, said point being the northeast corner of said Benbrook Winchester, L.P. tract and being in the existing south right-of-way line of President George Bush Turnpike (having a variable width R.O.W.), and being the northwest corner of a tract of land conveyed to North Texas Tollway Authority (NTTA), as recorded in Volume 99098, Page 4761 (DRDCT);

THENCE South 35°22'31" West, leaving said existing south right-of-way line, and along said west line of NTTA tract and east line of said Benbrook Winchester, L.P. tract a distance of 573.82 feet to a set 1/2 inch iron rod with a "Graham Assoc." (GA) cap for corner, said point being the most westerly corner of said NTTA tract, and the southeasterly corner of said Harmony Hill Land, LLC tract, and being in the north line of Block A of Misty Valley Addition, an addition to the City of Rowlett, Dallas County, Texas as recorded in Volume 86133, Page 2721 of the Map Records of Dallas County, Texas (MRDCT);

THENCE North 67°02'24" West, along said the north line of said Block A, and along the south line of said Harmony Hill Land, LLC. tract, a distance of 441.97 feet to a found 3/4 inch iron pipe for corner, said point being the northwest corner of said Block A, and being the northeast corner of a tract of land conveyed to Paul C. Merritt as recorded in Volume 89043, Page 1960 (DRDCT);

THENCE North 68°27'43" West, continuing along the south line of said Harmony Hill Land, LLC. tract, and along the north line of said Merritt tract, a distance of 650.61 feet to a set 1/2 inch iron rod with (GA) cap for corner, said point being in the proposed west right-of-way of Harmony Hill Lane (having a 80' R.O.W.);

THENCE North 21°32'17" East, leaving the north line of said Merritt tract, and along the proposed west right-of-way line, a distance of 105.89 feet to a set 1/2 inch iron rod with (GA) cap for corner;

THENCE North 23°27'43" West, continuing along the proposed west right-of-way line, a distance of 15.00 feet to a set 1/2 inch iron rod with (GA) cap for corner;

THENCE North 68°27'43" West, continuing along the proposed west right-of-way line, a distance of 14.39 feet to a set 1/2 inch iron rod with (GA) cap for corner;

THENCE North 21°32'17" East, continuing along the proposed west right-of-way line, a distance of 60.00 feet to a set 1/2 inch iron rod with (GA) cap for corner;

THENCE South 68°27'43" East, continuing along the proposed west right-of-way line, a distance of 14.39 feet to a set 1/2 inch iron rod with (GA) cap for corner;

THENCE North 66°32'17" East, continuing along the proposed west right-of-way line, a distance of 15.00 feet to a set 1/2 inch iron rod with (GA) cap for corner;

THENCE North 21°32'17" East, continuing along the proposed west right-of-way line, a distance of 413.84 feet to a set 1/2 inch iron rod with (GA) cap for corner;

THENCE North 13°23'54" West, continuing along the proposed west right-of-way line, a distance of 40.32 feet to a set 1/2 inch iron rod with (GA) cap for corner;

THENCE North 32°04'50" West, continuing along the proposed west right-of-way line, a distance of 65.04 feet to a set 1/2 inch iron rod with (GA) cap for corner, for the beginning of a tangent curve to the left having a radius of 606.50 feet, a central angle of 9°13'16", and a long chord which bears North 36°41'28" West, 97.50 feet;

THENCE continuing along the proposed west right-of-way line, and along said tangent curve to the left, an arc distance of 97.61 feet to a set 1/2 inch iron rod with (GA) cap for corner, said point being in the southerly line of a tract of land as conveyed to the City of Garland as recorded in Volume 71082, Page 1816 (DRDCT);

THENCE North 87°20'30" East, leaving said proposed west right-of-way line, and along said southerly line, a distance of 231.85 feet to a set 1/2 inch iron rod with (GA) cap for corner, for the beginning of a non-tangent curve to the right having a radius of 7465.00 feet and a central angle of 6°52'35" and a long chord which bears South 57°10'32" East, 895.38 feet, said point being in the existing south right-of-way line of said President George Bush Turnpike;

THENCE along said existing south right-of-way line, along said non-tangent curve to the right an arc distance of 895.91 feet to a set 1/2 inch iron rod with (GA) cap for corner, for the beginning of a compound curve to the right having a radius of 4990.94 feet, a central angle of 3°36'20", and a long chord which bears South 50°22'17" East, 314.01 feet;

THENCE continuing along said existing south right-of-way line, and along said compound curve to the right, an arc distance of 314.06 feet to the POINT OF BEGINNING and CONTAINING 852,251 square feet, 19.565 acres of land, more or less.

SURVEYOR'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS:

That I, Michael L. Peterson, do hereby certify, that I prepared this plat from an actual on the ground survey of the land as described and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City of Rowlett Planning and Zoning Commission.

By: Michael L. Peterson, R.P.L.S.
Texas Registration No. 5999



STATE OF TEXAS §
COUNTY OF TARRANT §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Michael L. Peterson, know to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2016.

Notary Public in and for the State of Texas
My Commission Expires: _____

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, Harmony Hill Land, LLC., do hereby bind themselves and their heirs, assignees and successors of title this plat designating the hereinabove described property as Lots 1-5, X-1, X-2, Block A, Harmony Hill Addition, an addition to the City of Rowlett, and do hereby dedicate to the public use forever the streets, alleys, and right-of-way easements shown thereon, and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs, or other improvements or groths that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements strips, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Rowlett, Texas.

Witness our hands at Dallas County, Texas, this ____ day of _____, 2016.

By: _____

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, know to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2016.

Notary Public in and for the State of Texas
My Commission Expires: _____

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, Benbrook Winchester, L.P., do hereby bind themselves and their heirs, assignees and successors of title this plat designating the hereinabove described property as Lots 1-5, X-1, X-2, Block A, Harmony Hill Addition, an addition to the City of Rowlett, and do hereby dedicate to the public use forever the streets, alleys, and right-of-way easements shown thereon, and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any building, fence, trees, shrubs, or other improvements or groths that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements strips, and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Rowlett, Texas.

Witness our hands at Dallas County, Texas, this ____ day of _____, 2016.

By: _____

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, know to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he/she executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this ____ day of _____, 2016.

Notary Public in and for the State of Texas
My Commission Expires: _____

CURVE TABLE						
CURVE #	Δ	RADIUS	TANGENT	LENGTH	LCB	LCD
C-2	4° 28' 33"	7395.00'	288.99'	577.68'	N59° 14' 39"W	577.53'
C-3	4° 03' 41"	686.50'	24.34'	48.66'	N34° 06' 41"W	48.65'
C-5	36° 49' 45"	79.81'	26.57'	51.30'	N50° 29' 42"W	50.42'
C-6	63° 11' 18"	65.50'	40.29'	72.24'	N37° 18' 55"W	68.63'
C-7	1° 15' 05"	7395.00'	80.76'	161.51'	N56° 22' 50"W	161.50'
C-8	1° 32' 40"	7395.00'	99.68'	199.34'	N54° 58' 58"W	199.34'
C-9	0° 34' 37"	4920.94'	24.78'	49.55'	N51° 52' 28"W	49.55'
C-10	3° 06' 14"	4920.94'	133.32'	266.58'	N50° 02' 03"W	266.55'
C-11	2° 13' 14"	7395.00'	143.33'	286.62'	S54° 51' 18"E	286.60'
C-12	7° 44' 15"	7395.00'	500.08'	998.64'	N57° 36' 48"W	997.88'
C-13	3° 40' 51"	4920.94'	158.12'	316.13'	N50° 19' 21"W	316.08'
C-26	54° 20' 02"	30.00'	15.40'	28.45'	S48° 42' 18"W	27.40'
C-27	54° 20' 02"	52.00'	26.89'	49.31'	S48° 42' 18"W	47.48'
C-28	90° 00' 00"	30.00'	30.00'	47.12'	S66° 32' 17"W	42.43'
C-29	90° 00' 00"	52.00'	52.00'	81.68'	S66° 32' 17"W	73.54'
C-30	90° 00' 00"	52.00'	52.00'	81.68'	S23° 27' 43"E	73.54'
C-31	90° 00' 00"	30.00'	30.00'	47.12'	S23° 27' 43"E	42.43'
C-32	90° 00' 40"	30.00'	30.00'	47.13'	S66° 32' 17"W	42.43'
C-33	90° 00' 00"	52.00'	52.00'	81.68'	S66° 32' 17"W	73.54'
C-34	90° 00' 00"	52.00'	52.00'	81.68'	S23° 27' 43"E	73.54'
C-35	90° 00' 00"	30.00'	30.00'	47.12'	S23° 27' 43"E	42.43'
C-37	90° 00' 00"	30.00'	30.00'	47.12'	N23° 27' 43"W	42.43'
C-38	90° 00' 00"	30.00'	30.00'	47.12'	N66° 32' 17"E	42.43'
C-39	90° 00' 00"	52.00'	52.00'	81.68'	N66° 32' 17"E	73.54'
C-40	114° 24' 56"	52.00'	80.71'	103.84'	N35° 40' 11"W	87.43'
C-41	114° 24' 56"	25.00'	38.80'	49.92'	N35° 40' 11"W	42.03'
C-42	65° 39' 27"	30.00'	19.36'	34.38'	N54° 22' 00"E	32.53'
C-43	24° 20' 33"	42.00'	9.06'	17.84'	S80° 38' 00"E	17.71'
C-44	90° 00' 00"	52.00'	52.00'	81.68'	N23° 27' 43"W	73.54'
C-45	90° 00' 00"	30.00'	30.00'	47.12'	N23° 27' 43"W	42.43'
C-47	90° 00' 00"	30.00'	30.00'	47.12'	S66° 32' 17"W	42.43'
C-49	114° 24' 56"	30.00'	46.56'	59.91'	S35° 40' 11"E	50.44'
C-51	24° 25' 05"	47.00'	10.17'	20.03'	S80° 40' 13"E	19.88'
C-52	90° 00' 00"	20.00'	20.00'	31.42'	N66° 32' 17"E	28.28'
C-78	3° 12' 30"	4905.94'	137.39'	274.71'	N50° 04' 03"W	274.68'
C-81	90° 00' 00"	30.00'	30.00'	47.12'	S66° 32' 17"W	42.43'
C-83	90° 00' 00"	30.00'	30.00'	47.12'	S23° 27' 43"E	42.43'
C-85	90° 00' 00"	30.00'	30.00'	47.12'	N66° 32' 17"E	42.43'
C-87	90° 00' 00"	30.00'	30.00'	47.12'	N23° 27' 43"W	42.43'
C-89	90° 00' 00"	30.00'	30.00'	47.12'	S66° 32' 17"W	42.43'
C-92	6° 26' 23"	646.50'	36.37'	72.66'	N35° 18' 01"W	72.62'
C-93	89° 59' 55"	67.00'	67.00'	105.24'	N23° 27' 53"W	94.75'

ACCESS EASEMENT

The undersigned does covenant and agree that the access easement may be utilized by any person or the general public for ingress and egress to other real property, and for the purpose of General Public vehicular and pedestrian use and access, and for Fire Department and emergency use, in, along, upon, and across said premises, with the right and privilege at all times of the City of Rowlett, its agents, employees, workmen, and representatives having ingress, egress, and regress in, along, upon, and across said premises.

FIRE LANE EASEMENT

That the undersigned does hereby covenant and agree that he (they) shall construct upon the fire lane easements, as dedicated and shown hereon, a hard surface and that he (they) shall maintain the same in a state of good repair at all times and keep the same free and clear of any structures, fences, trees, shrubs, or other improvements or obstruction, including but not limited to the parking of motor vehicles, trailers, boats, or other impediments to the access of fire apparatus. The maintenance of paving on the fire lane easements is the responsibility of the owner, and the owner shall post and maintain appropriate signs in conspicuous places along such fire lanes, stating "Fire Lane, No Parking." The police or his duly authorized representative is hereby authorized to close such fire lanes and utility easements to be maintained free and unobstructed at all times for Fire Department and emergency use.

DRAINAGE AND FLOODWAY EASEMENT

(For Subdivision Plat for Multifamily or Commercial Subdivision)
This plat is hereby adopted by the owners (called "Owners") and approved by the City of Rowlett, (called "City") subject to the following conditions which shall be binding upon the Owners, their heirs, grantees, successors, and assigns: The drainage and floodway easement as shown and described by bearings and distances on Lot 4, Block A, of the plat is called "Drainage and Floodway Easement." The Drainage and Floodway Easement is hereby dedicated to the public's use forever, but including the following covenants with regard to maintenance responsibilities. The existing creek or creeks traversing the Drainage and Floodway Easement will remain as an open channel at all times and shall be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the Drainage and Floodway Easement. The City will not be responsible for the maintenance and operation of said creek or creeks or for any damage or injury to private property or person that results from the flow of water along said creek, or for the control of erosion. No obstruction to the natural flow of storm water run-off shall be permitted by construction of any type of building, fence, or any other structure within the Drainage and Floodway Easement. Provided, however, it is understood that in the event it becomes necessary for the City to channelize or consider erecting any type of drainage structure in order to improve the storm drainage, then in such event, the City shall have the right, but not the obligation, to enter upon the Drainage and Floodway Easement at any point, or points, with all rights of ingress and egress, to investigate, survey, erect, construct, or maintain any drainage facility deemed necessary by the City for drainage purposes. Each property owner shall keep the natural drainage channels and creeks traversing the Drainage and Floodway Easement adjacent to his property clean and free of debris, silt, and any substance which would result in unsanitary conditions or obstruct the flow of water, and the City of Rowlett shall have the right of ingress and egress for the purpose of inspection and supervision of maintenance work by the property owner to alleviate any undesirable conditions which may occur. The natural drainage channels and creeks through the Drainage and Floodway Easement, as in the case of all natural channels, are subject to storm water overflow and natural bank erosion to an extent which cannot be definitely defined. The City shall not be held liable for any damages or injuries of any nature resulting from the occurrence of these natural phenomena, nor resulting from the failure of any structure or structures, within the natural drainage channels, and the Owners hereby agree to indemnify and hold harmless the City from any such damages and injuries. Building areas outside the Drainage and Floodway Easement line shall be filled to a minimum elevation as shown on the plat. The minimum floor elevation for each lot shall be as shown on the plat.

Parcel Line Table		
LINE #	LENGTH	DIRECTION
L1	15.36'	N21° 32' 17"E
L2	23.95'	N21° 32' 17"E
L3	6.62'	S68° 27' 43"E
L4	15.00'	N21° 32' 17"E
L5	16.62'	N68° 27' 43"W
L6	61.04'	S21° 32' 17"W
L9	48.02'	S21° 32' 17"W
L11	50.38'	N68° 27' 43"W
L13	48.02'	S21° 32' 17"W
L15	86.42'	S68° 27' 43"E
L17	47.35'	S21° 32' 17"W
L18	47.35'	S21° 32' 17"W
L20	88.30'	N68° 27' 43"W
L22	178.04'	S21° 32' 17"W
L24	90.15'	S66° 32' 17"W
L26	45.66'	S21° 32' 17"W
L27	28.95'	S21° 32' 17"W
L28	12.00'	S68° 27' 43"E
L29	17.00'	N68° 27' 43"W
L30	125.32'	N21° 32' 17"E
L31	144.73'	S21° 32' 17"W
L32	47.71'	S8° 27' 43"E
L33	47.71'	N8° 27' 43"W
L34	95.70'	S21° 32' 17"W
L35	160.02'	N21° 32' 17"E
L36	5.00'	S68° 27' 43"E
L37	15.00'	S21° 32' 17"W
L38	99.35'	S21° 32' 17"W
L39	160.02'	N21° 32' 17"E
L40	99.35'	S21° 32' 17"W
L41	15.00'	S21° 32' 17"W
L42	5.00'	N68° 27' 43"W
L43	50.01'	S21° 32' 17"W
L44	136.42'	S68° 27' 43"E
L45	11.99'	S21° 32' 17"W
L46	10.00'	N68° 27' 43"W
L47	9.50'	S21° 32' 17"W
L48	23.35'	S6° 59' 36"E
L49	92.14'	N68° 27' 43"W
L50	123.29'	N68° 27' 43"W
L51	102.38'	N68° 27' 43"W
L52	14.05'	N68° 27' 43"W
L53	160.02'	N21° 32' 17"E
L54	131.42'	S68° 27' 43"E
L55	9.28'	S21° 32' 17"W

Parcel Line Table		
LINE #	LENGTH	DIRECTION
L56	20.00'	N68° 27' 43"W
L57	14.50'	S21° 32' 17"W
L58	13.62'	S68° 27' 43"E
L59	34.73'	S6° 59' 36"E
L60	123.29'	N68° 27' 43"W
L61	15.00'	N68° 27' 43"W
L62	51.71'	N21° 32' 17"E
L63	46.71'	N21° 32' 17"E
L64	15.00'	N68° 27' 43"W
L65	135.15'	N68° 27' 43"W
L66	30.00'	S68° 27' 43"E
L67	52.00'	S21° 32' 17"W
L68	142.02'	N21° 32' 17"E
L70	238.71'	S68° 27' 43"E
L71	39.96'	S21° 32' 17"W
L72	15.00'	S68° 27' 43"E
L73	25.40'	N81° 32' 17"E
L74	5.00'	S68° 27' 43"E
L75	9.96'	N21° 32' 17"E
L76	5.00'	N68° 27' 43"W
L77	13.86'	N81° 32' 17"E
L78	28.03'	N21° 32' 17"E
L79	78.41'	S68° 27' 43"E
L80	326.75'	N68° 27' 43"W
L81	119.44'	N52° 52' 08"W
L82	24.59'	N21° 32' 17"E
L83	23.39'	N68° 27' 43"W
L84	103.87'	S52° 52' 08"E
L85	28.39'	S21° 32' 17"W
L86	40.55'	S68° 27' 43"E
L87	125.13'	N87° 07' 21"E
L88	32.32'	N87° 07' 21"E
L89	5.49'	N21° 32' 17"E
L90	5.49'	N87° 07' 21"E
L91	94.88'	N21° 32' 17"E
L92	15.00'	N21° 32' 17"E
L93	5.00'	S68° 27' 43"E
L94	163.37'	N21° 32' 17"E
L95	127.67'	N21° 32' 17"E
L97	29.92'	N21° 32' 17"E
L99	103.00'	S68° 27' 43"E
L101	59.45'	N21° 32' 17"E
L103	83.65'	S87° 07' 21"W
L105	41.96'	N21° 32' 17"E
L107	210.08'	N87° 11' 44"E



City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 08/23/2016

AGENDA ITEM: B3

AGENDA LOCATION:

Consent Agenda

TITLE

Consider and take action on a Preliminary Plat for Canterbury Cove, located at 3399 Chiesa Road, further described as 21.79 +/- acres in the James Hobbs Survey, Abstract No. 571, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Daniel Acevedo, Urban Design Manager

SUMMARY

The Preliminary Plat (Attachment 1) is one of the first steps in the development process and provides an overview of the utility and street layout for the site in its entirety. In the future, the final plat associated with this site will be required to be in conformance with the approved preliminary plat. In the case of Canterbury Cove, the project is being platted as 109 lots and provides for open space lots. The intended use of the property is a 109-unit single family residential development.

BACKGROUND INFORMATION

The subject property is located to the West of Chiesa Road and North of Miller Road (Attachment 2 – Location Map). On November 17, 2015, City Council approved an ordinance rezoning the subject property from SF-40 to Form Based New Neighborhood District (NN-FB). Following the rezoning of the subject property, the Regulating Plan was processed and approved by staff on May 10, 2016. Following zoning and the regulating plan, the Preliminary Plat is the next step in the development process. Subsequently, the applicant will be required to obtain approval of the Development Plan (landscape, tree survey and preservation plan), civil engineering plans, a Final Plat, and building plans prior to receiving a building permit. The Final Plat will be brought before the Commission for consideration and approval.

DISCUSSION

Section 77-806.C.2(d)(1) of the Rowlett Development Code (RDC) states,

“Approval of a preliminary plat shall be deemed an expression of approval of the layouts submitted on the preliminary plat as a guide for the future installation of streets, water, sewer, and other required improvements and utilities and as a guide to the preparation of the final plat. Except as provided for in this section, approval of the preliminary plat shall constitute conditional approval of the final plat when all conditions of approval noted as provided in this section have been met.”

It is important to note that Section 77-806.C.2(d)(2) of the RDC additionally states,

“No construction work shall begin on the proposed improvements in the proposed subdivision prior to approval of the final plat by the planning and zoning commission and the construction plans by the director of public works and/or director of utilities. The subdivider, at its sole and exclusive risk, may undertake certain ground excavations for grading and drainage purposes, install underground utilities, and install drainage, if the proper permits and approvals for such works are issued by the director of public works.”

Section 77-806.C.6 of the RDC further states,

“The Planning and Zoning Commission may approve a preliminary or final plat only if it finds that the plat:

- (a) Conforms to Chapter 77-600, Subdivision and land development, and any regulations adopted pursuant to that chapter;
- (b) Promotes the public health, safety and welfare;
- (c) Provides for the proper arrangement of streets in relation to existing or proposed streets;
- (d) Provides for the efficient movement of vehicular and pedestrian traffic;
- (e) Ensures adequate and properly placed utilities;
- (f) Provides access for firefighting apparatus as determined by the fire marshal;
- (g) Provides light and air and avoids congestion;
- (h) Facilitates the orderly and efficient layout and use of the land; and
- (i) Furthers the goals and policies of the comprehensive plan and the city council.”

City Staff from the Planning and Engineering Divisions as well as the Fire Marshal's Office have reviewed the Preliminary Plat for compliance with the Rowlett Development Code and Form Based Code. Based on the fact that this request meets the requirements set forth in the Rowlett Development Code, staff recommends approval of this request.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends approval of the Preliminary Plat.

ATTACHMENTS

Attachment 1 – Preliminary Plat

Attachment 2 – Location Map

OWNER'S CERTIFICATE

STATE OF TEXAS
COUNTY OF DALLAS

WHEREAS Kirt Patel and Jayanti Patel, Individuals are the owner of that tract of land being all of a tract of land situated in the James Hobbs Survey, Abstract No. 571, conveyed to Kirt Patel and Jayanti Patel by Special Warranty Deed recorded in Instrument Number 200503640133, Official Public Records, Dallas County, Texas, and being more particular described by metes and bounds as follows:

BEGINNING at a 1/2 Iron rod found for corner, said corner being the Northeast corner of that tract of land conveyed to RPS Ventures, Inc., a Texas Corporation, by deed recorded in Instrument Number 200503640132, Official Public Records, Dallas County, Texas and being in the West line of said Chiesa Road (variable width right-of-way);

THENCE with the common line of both RPS Ventures' tracts being recorded in Instrument Number 200503640132 and Instrument Number 200503640133 the following 5 courses and distances:

THENCE South 89 degrees 11 minutes 00 seconds West a distance of 340.00 feet to a 1/2 Inch iron rod found for corner;

THENCE North 01 degrees 57 minutes 00 seconds West a distance of 320.00 feet to a 1/2 Inch iron rod found for corner;

THENCE South 89 degrees 11 minutes 00 seconds West a distance of 619.00 feet to a 1/2 inch iron rod found for corner;

THENCE North 01 degrees 57 minutes 00 seconds West a distance of 89.00 feet to a 1/2 inch iron rod found for corner;

THENCE South 88 degrees 31 minutes 32 West a distance of 312.09 feet to a 1/2 Inch Iron rod found for corner; said corner being in the Easterly line of Lake Ray Hubbard;

THENCE along the Easterly line of Lake Ray Hubbard the following 5 courses and distances:

THENCE North 08 degrees 49 minutes 00 seconds East a distance of 165.68 feet to a 2 inch aluminum disc found for corner

THENCE North 22 degrees 51 minutes 00 seconds East a distance of 523.71 feet to a 2 inch aluminum disc found for corner in the Easterly line of Lake Ray Hubbard and the Southwest corner of a tract of land conveyed to Sherry R. Lewis by Warranty Deed With Vendor's Lien recorded in Instrument Number 20080170578, Official Public Records, Dallas County, Texas;

THENCE North 88 degrees 49 minutes 00 seconds East along the South line of said Lewis tract a distance of 1,036.93 feet to a 1/2 inch iron rod found for corner, said corner being the Southeast corner of said Lewis tract and being in the West line of said Chiesa Road from which a 1/2 Inch iron rod found bears for witness South 68 degrees 51 minutes 39 seconds West a distance of 0.59 feet;

THENCE South 01 degrees 03 minutes 00 seconds East along the West line of said Chiesa Road a distance of 1,054.99 feet to the POINT OF BEGINNING and containing 949,469 square feet or 21.797 acres of land.

OWNER'S DEDICATION

STATE OF TEXAS
COUNTY OF DALLAS

THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Kirt Patel and Jayanti Patel, do hereby adopt this plat designating the herein described property as CANTERBURY COVE, an addition to the City of Rowlett and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use or using same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements strips and any public utility shall at all times have the right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations and resolutions of the City of Rowlett, Texas.

Witness my hand at Dallas, Texas, this_____day of_____, 2016.

Kirt Patel, (Owner)

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Kirt Patel known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this_____day of_____, 2016.

Notary Public in and for the State of Texas

Witness my hand at Dallas, Texas, this_____day of_____, 2016.

Jayanti Patel (Owner)

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared Marta Eugenia Hernandez known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office, this_____day of_____, 2016.

Notary Public in and for the State of Texas

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That I, BRYAN CONNALLY, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision in accordance with the Platting Rules and Regulations of the City Planning Commission of the City of Rowlett.

RELEASED FOR REVIEW 08/02/2016 PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSES AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

Bryan Connally, RPLS NO. 5513

STATE OF TEXAS
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared BRYAN CONNALLY known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed and under oath stated that the statements in the foregoing certificate are true.

Given under my hand and seal of office, this_____day of_____, 2016.

Notary Public in and for the State of Texas

Preliminary Plat--For Inspection Purposes Only.
Approved for Preparation of Final Plat

Chairman, City of Rowlett
Planning and Zoning Commission

Director of Development Services

Date

GENERAL NOTES

- 1) BASIS OF BEARINGS IS THE WEST LINE OF CHIESA ROAD PER DEED RECORDED IN INSTRUMENT NO. 200503640133, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS. (S 01°03'00" E)
- 2) THE PURPOSE OF THIS PLAT IS TO CREATE 108 LOTS, 8 OPEN SPACE AREAS, DEDICATE PUBLIC RIGHT-OF-WAYS AND EASEMENTS.
- 3) LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT ENGINEERING SECTION APPROVAL.
- 4) ANY STRUCTURE NEW OR EXISTING MAY NOT EXTEND ACROSS NEW PROPERTY LINES.
- 5) COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 ON GRID COORDINATE VALUES, NO SCALE AND NO PROJECTION.
- 6) BENCHMARK IS A BERTNSEN TOP SECURITY MONUMENT WITH ACCESS COVER IS LOCATED IN THE CL OF MEDIAN OF DALROCK ROAD AT THE INTERSECTION OF CHESHAM DR. IT IS 50' SOUTH OF THE CL OF CHESHAM DR. .11' SE OF AN ELECTRIC PULL BOX AND 15' WEST OF THE EAST MEDIAN CURB. (ELEV.=477.10')
- 7) THE SUBJECT PROPERTY IS ZONED FB--NN.
- 8) SUBJECT PROPERTY LIES IN ZONE X (N.F.H.A.) AND DOES NOT LIE WITHIN THE 100 YEAR FLOODZONE PER PANEL NO. 48113C0245K, DATED JULY 7, 2014

OWNER: KIRIT PATEL AND JAYANTI PATEL
200 Crescent Court, Suite 1500
Dallas, Texas 75201

(SHEET 2 OF 2)

PRELIMINARY PLAT
CANTERBURY COVE
LOTS 1-12, BLOCK A; LOTS 1-12, BLOCK B; LOTS
1-24, BLOCK C; LOTS 1-16, BLOCK D; LOTS 1-30,
BLOCK E; LOTS 1-4, BLOCK F; LOTS 1-11, BLOCK G
AND 9 OPEN SPACE AREAS
JAMES HOBBS SURVEY, ABST. NO. 571
949.469 SQ.FT. / 21.800 ACRES
BEING A REPLAT OF
JAMES HOBBS SURVEY, ABST. NO. 571
CITY OF ROWLETT, DALLAS COUNTY, TEXAS



SCALE: 1"=60' / DATE: 07/07/16 / JOB NO. 1511020-2 / DRAWN BY: BM/MC





City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

AGENDA DATE: 8/23/2016

AGENDA ITEM: C1

AGENDA LOCATION:

Individual Consideration

TITLE

Conduct a public hearing and make a recommendation on a request for a Special Use Permit to allow a restaurant with a drive-through at 3101 Lakeview Parkway further described as being Lot 2, Block A, of the Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas. (SUP136-2015)

STAFF REPRESENTATIVE

Katy Goodrich, MPA, Planner I

SUMMARY

The applicants are requesting a Special Use Permit (SUP) to allow a fast-food restaurant (El Pollo Loco) with a drive-through (Attachment 1 – Statement of Intent). Per the Rowlett Development Code (RDC), a restaurant with a drive-through requires an SUP in the General Commercial/Retail (C-2) Zoning District. The main purpose of this meeting is to present the formal SUP application and the concept plan to the Planning and Zoning Commission and request their recommendation to the City Council.

BACKGROUND INFORMATION

The applicants are proposing to construct a 2,660 square-foot restaurant with a drive-through on a 0.859-acre lot (Attachment 2 – Concept Plan). The subject property is located approximately 1200 feet west of Lakeview Parkway and Rowlett Road on one out of the five out parcels in the Sprouts development (Attachment 3 – Location Map). The overall development consists of the Sprouts grocery store and five out-parcels located along Lakeview Parkway (Attachment 4 – Final Plat). Construction is completed for the Sprouts grocery store and an adjoining retail building, which are located on Lot 1. The master developer has secured First Choice ER (medical use) for Lot 6, Chipotle (restaurant without a drive-through) on Lot 3, Panda Express (restaurant with a drive through) on Lot 5 and El Pollo Loco on Lot 2. First Choice ER and Chipotle are permitted by right in the C-2 Zoning District. First Choice ER has completed construction and Chipotle is currently under construction. Panda Express was granted a Special Use Permit to operate a restaurant with a drive-thru (ORD 001-16) and is currently under construction.

The consideration of the SUP will involve the proposed land use and the proposed concept plan. If the SUP is approved, then the development will be required to conform to the concept plan and any adopted stipulations. The applicant is also requesting Alternative Landscape Plan (ALP). Due to the size of the property, The RDC only requires the ALP to be considered by the Planning and

Zoning Commission and not City Council. However, the Planning and Zoning Commission cannot approve the ALP until the SUP has been approved by City Council.

DISCUSSION

The approval criteria for an SUP are outlined in Section 77-206 of the RDC. The Planning and Zoning Commission should consider the request based on these approval criteria as detailed below. Staff has added additional commentary in bold italics beneath each point of consideration where applicable.

Section 77-206.D. Approval Criteria. Recommendations and decisions on Special Use Permits shall be based on consideration of the following criteria:

1. The proposed Special Use Permit is consistent with the Comprehensive Plan and other infrastructure-related plans, all applicable provisions of this Code, and applicable state and federal regulations;

The subject property is not located within one of the 13 opportunity areas in the Realize Rowlett 2020 Comprehensive Plan. The Realize Rowlett 2020 Comprehensive Plan states that for areas outside of the opportunity areas that the existing zoning as amended will continue to direct design and investment decisions. The Plan further states that its Guiding Principles should be considered in decisions about rezoning, subdivision and site design throughout the City.

While this proposed SUP does not directly advance the Guiding Principles outlined in the Rowlett Comprehensive Plan, it is consistent with the proposed uses that have already been identified in the Sprouts development. It is Staff's opinion that a drive-through restaurant at this location is consistent with the existing surrounding uses and it meets the intent of the C-2 Zoning District.

2. The proposed Special Use Permit is consistent with the purpose and intent of the zoning district in which it is located;

The existing zoning is C-2, which allows for general commercial/retail uses. Per Section 77-203.B.5 of the RDC,

The C-2 district is intended to allow retail sales-type uses, with only a subordinate percentage of a development associated with other retail and office uses. Traffic generated by the uses will be primarily passenger vehicles and only those trucks and commercial vehicles required for stocking and delivery. The C-2 district is intended to be applied primarily to areas of high traffic volume and along areas accessing high-volume streets.

Based on the intent of the C-2 zoning district, a drive-through restaurant is a compatible use in this district particularly at this location. The subject property fronts on a major

high volume traffic corridor making it appropriate for the proposed drive-through restaurant.

3. Whether the proposed Special Use Permit meets the challenge of some changing condition, trend, or fact;

The applicants are requesting a Special Use Permit to construct a restaurant with a drive-through.

4. Whether the proposed Special Use Permit will protect or enhance the health, safety, morals, or general welfare of the public;

The proposal should not negatively affect the health, safety, morals or general welfare of the public. The proposed use will be located in a commercial center and will not be located next to any residential subdivisions.

5. Whether the municipality and other service providers will be able to provide sufficient transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;

Adequate utilities, access roads, and drainage facilities are being provided for the subject property. This SUP will not increase any demands on utilities beyond their capacity. As part of planning for the overall development, a Traffic Impact Analysis was completed which accounted for a drive-through restaurant. The traffic impact for overall development including the future uses on all the out parcels is being mitigated by the two deceleration lanes that have already been installed on Lakeview Parkway and a signalized intersection for the main driveway leading towards the Sprouts grocery store which is completed.

6. Whether the proposed Special Use Permit is consistent with or will have significant adverse impacts on other property in the vicinity of the subject tract; and

The proposed use should not have any adverse impacts on other properties within the vicinity. The proposed use will be located in a 15-acre commercial development that will contain personal service and retail establishments. The proposed use will be compatible with the other uses in the overall development that are allowed by right in the C-2 Zoning District.

The proposed concept plan has been evaluated to ensure that the drive-through will not adversely affect the adjacent developments. The concept plan shows that the drive-through lane provides stacking for seven vehicles from the service window and five vehicles from the ordering station. The drive-through lane also has an escape lane near the ordering station. In Staff's opinion, the drive-through stacking meets the minimum

stacking requirements in the RDC for a drive-through restaurant and should not negatively affect the future uses within the development.

7. The suitability of the subject property for the existing zoning and the proposed use sought by the Special Use Permit;

The proposed restaurant with a drive-through meets the intent of the C-2 Zoning District and will be compatible with the surrounding uses.

It is Staff's opinion that the request meets the criteria outlined in the RDC for an SUP. The proposed drive-through restaurant is not expected to have an adverse impact on adjacent properties and will be compatible with the surrounding commercial uses that are allowed by right in the C-2 Zoning District. Additionally, the proposed use's location on Lakeview Parkway, a high traffic volume corridor, away from any residential districts is an appropriate location for a drive-through restaurant and meets the intent of the C-2 Zoning District.

Public Notice

On August 8, 2016, a total of nine notices were mailed to property owners within 200 feet and a total of twenty six courtesy notices were mailed to property owners within 500 feet. As of August 18, 2016, one notice was received in favor of the request while none were received in opposition. The responses are available in Attachment 5 – Returned Public Notice.

Staff published the Legal Notice in the Dallas Morning News on August 12, 2016, and placed a zoning sign on the subject property on August 12, 2016, in accordance with the Rowlett Development Code.

FISCAL IMPACT/BUDGET IMPLICATIONS

N/A

RECOMMENDED ACTION

Staff recommends that the Planning and Zoning Commission make a favorable recommendation to City Council.

ATTACHMENTS

- Attachment 1 – Statement of Intent
- Attachment 2 – Concept Plan
- Attachment 3 – Location Map
- Attachment 4 – Final Plat
- Attachment 5 – Returned Public Notices



E N G I N E E R I N G A N D D E S I G N F I R M

Bovay Engineers, Inc.
9100 Southwest Freeway
Suite 201
Houston, Texas 77074
Phone: 713.777.8400
Fax: 713.541.5535

13 July 2016

City of Rowlett
c/o Katy Goodrich, Case Manager
Planning and Development Services
4000 Main Street
Rowlett TX 75088

Re: **Exhibit C Statement of Intent
For SUP Application for Proposed Restaurant with Drive Thru
3101 Lakeview Parkway, Rowlett, TX**

Dear City of Rowlett,

We provide the following information, as Exhibit C Statement of Intent, for the proposed SUP at 3101 Lakeview Parkway, Rowlett, TX. This information follows the items as found on the Checklist and has reformatted the text accordingly.

Description of Project Uses

The proposed site location is near the NWC of Lakeview Parkway near Rowlett Road, officially known as 3101 Lakeview Parkway in Rowlett, TX 75088.

The proposed site is located in FEMA's Flood Zone designation of "X" unshaded and "X" Shaded.

The site is being proposed for Special Use Permit of a fast food restaurant with a drive-thru facility. The potential development is for an El Pollo Loco restaurant. The proposed restaurant will be approximately 2,660 square feet and would provide counter and drive-thru service. All utilities necessary for the construction of the El Pollo Loco restaurant are located within proximity to this site.

In addition, this restaurant will operate 7 days a week from 10am to 10pm Sunday thru Saturday. There will be no alcoholic beverages sold. Since this restaurant will be open more than 8 hours a day, most deliveries for food and dry goods will mostly likely occur late night or early morning to avoid traffic conflicts during the day with customers trying to get into and out of the restaurant or other nearby businesses.

The site will consist of associated paving and parking needed to service this site. The minimum requirement of 27 parking spaces will be met, 2 which will be reserved for handicap parking. Access to this site will be from two (2) points. There is a shared access to the east of the building off Lakeview Parkway



E N G I N E E R I N G A N D D E S I G N F I R M

Bovay Engineers, Inc.
9100 Southwest Freeway
Suite 201
Houston, Texas 77074
Phone: 713.777.8400
Fax: 713.541.5535

and an additional access to the west of the site. Please refer to Exhibit "D" for a comprehensive view of our proposed development.

Existing and Proposed Zoning and Land Use

The proposed site is currently in the C-2 (Commercial Business) Zoning District. The C-2 zone designation does not allow for a restaurant with a drive-thru, by right. However, a restaurant with a drive-thru could be allowed, contingent upon City approval, by means of Special Use Permit designation. We are hereby requesting Special Use Permit designation for this proposed development to be able to construct a restaurant with a drive-thru within this C-2 Zoning District.

Potential Residential Density

N/A

Criteria for Approval

1. The proposed Special Use Permit is consistent with the comprehensive plan, other infrastructure related plans, all applicable provisions of the Code, and applicable state and federal regulations.

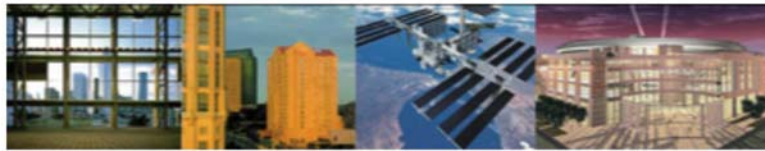
The subject property is not located within any of the 13 opportunity areas of the Realize Rowlett 2020 Comprehensive Plan. However, the Realize Rowlett 2020 Comprehensive Plan states that for areas outside of the opportunity areas the existing zoning will continue to direct design and investment decisions. Our proposed SUP request will meet the intent of the C-2 Zoning District but as a restaurant with a drive-thru, which will be compatible with other nearby developments and located along a major traffic corridor which is appropriate for a business with a drive-thru.

This proposed SUP will also be consistent with all applicable infrastructure related plans and restrictions, all applicable provisions of the codes and any applicable State and federal regulations.

2. The proposed Special Use Permit is consistent with the purpose and intent of the zoning district in which it is located;

The existing C-2 district is intended for the conduct of retail sales-type uses, with a limited percentage of development associated with other retail and office type uses. Traffic generated by the uses is primarily passenger vehicles and commercial vehicles required for stocking and delivery. The C-2 district is intended to be applied to areas of high traffic volume and along areas of high-volume streets.

Based on the intent of the C-2 zoning district, a restaurant with a drive-thru would be a compatible use in this district, particularly at this location. The subject property fronts a major high volume traffic corridor making it appropriate for a proposed drive-through restaurant.



Bovay Engineers, Inc.
9100 Southwest Freeway
Suite 201
Houston, Texas 77074
Phone: 713.777.8400
Fax: 713.541.5535

E N G I N E E R I N G A N D D E S I G N F I R M

3. Whether the proposed special use permit meets the challenge of changing condition, trend, or fact;

In a C-2 zone a restaurant with a drive-thru is not permitted by right. We are requesting a SUP designation in order to construct a restaurant with a drive-thru.

4. The proposed special use permit will protect the health, safety, morals, and/or general welfare of the public;

The proposed SUP will not negatively affect the health, safety, morals and/or general welfare of the public. The proposed use will be on a pad site located within a commercial center and not located next to any residential subdivision(s).

5. Municipality and other service providers will be able to provide sufficient transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;

The proposed site is within a master planned commercial development which provided necessary water utility stub-outs and has proper utility facilities within proximity for connection purposes to provide all the necessary utilities to the proposed facility. There are existing access roads and drainage facilities. The existing developments will not be affected or impacted in their services by the inclusion of this proposed development.

6. The proposed special use permit is consistent with other properties in the vicinity and will not have significant adverse impacts on other properties in the vicinity of the subject tract;

The SUP is consistent with other properties near this vicinity and will not have significant adverse impacts on other properties. The proposed use is compatible with other uses that are allowed by right in the C-2 Zoning District.

7. The proposed subject property is suitable for the existing and proposed use sought by the Special Use Permit.

The proposed subject property is suitable for the proposed used sought by the Special Use Permit and meets the intent of the C-2 Zoning District and will be compatible with the surrounding uses.

Sincerely,

Rebecca Garza

Rebecca Garza
Site Development Technician III
Bovay Engineers, Inc.
713.777.8400



08/05/2016



SUP / DEVELOPMENT PLAN 06-21-16
SUP / RE-SUBMITTAL 07-15-16

BUILDING TYPE: HDSP 2660
STORE NUMBER:
DRAWN BY: RA
CHECKED BY: MI

EL POLLO LOCO

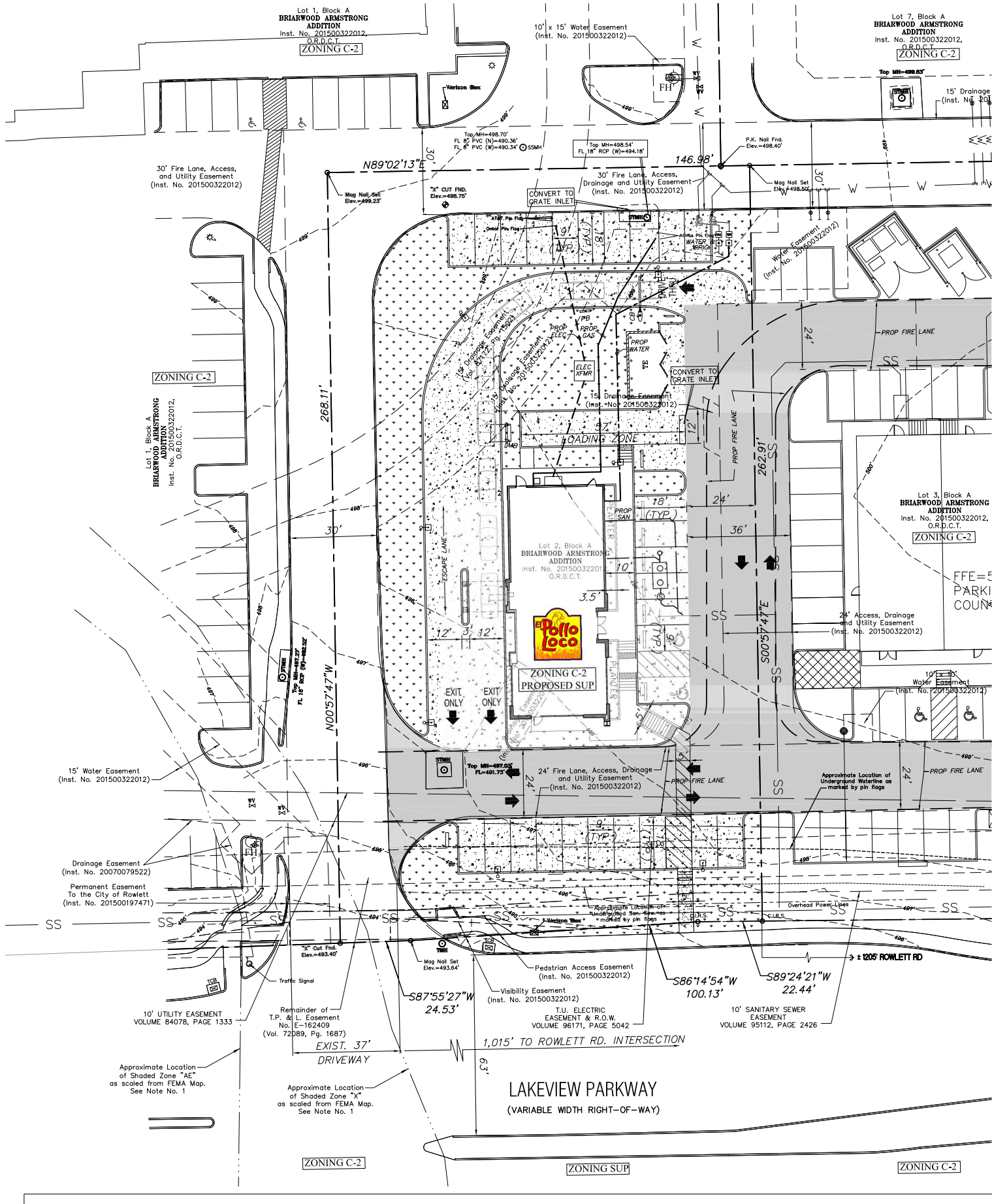
3101 LAKEVIEW PARKWAY
ROWLETT, TX



EXHIBIT D
ZONING
CONCEPT

GENERAL NOTE:

ACCORDING TO THE FLOOD INSURANCE RATE MAP OF DALLAS COUNTY, TEXAS, MAP NO. 48113C0240K, MAP REVISED JULY 07, 2014, THE HEREIN DESCRIBED PROPERTY IS LOCATED IN ZONE "X", DESCRIBED BY SAID MAP TO BE, "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AND ALSO IN SHADED ZONE "AE", DESCRIBED BY SAID MAP TO BE, "SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD; BASE FLOOD ELEVATIONS DETERMINED" AND ALSO IN SHADED ZONE "X", DESCRIBED BY SAID MAP TO BE, "SPECIAL FLOOD HAZARD AREAS (SFHAS) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD; NO BASE FLOOD ELEVATIONS DETERMINED".



PAVING LEGEND

- PROPERTY LINE
- LANDSCAPE AREA
- 5" PAVED AREA
- 7" PAVED AREA
- WALKWAY

LEGEND

- PROPOSED
 - MONUMENT SIGN
 - LIGHT FIXTURE
 - ARROW PATH DIRECTION
 - FINISH FLOOR ELEVATION
 - PB PREVIEW BOARD
 - MB MB BOARD
 - TE TRASH ENCLOSURE (MASONRY TO MATCH BUILDING)
 - FIRE LANE
 - WATER LINE
 - SANITARY SEWER
 - STORM GRATE INLET
 - GREASE TRAP & SAMPLING WELL
- EXISTING
 - FIRE HYDRANT
 - SANITARY SEWER
 - STORM SEWER
 - WATER

SITE DATA INFORMATION:

Gross Site Area	38,990 SF (0.895 AC)
Site Frontage	122.57'
Site Width	146.98'
Site Depth	268.11'
Existing Zoning District	C-2
Proposed Zoning District	SUP
Applicable Overlays	NONE
Appraisal District Account No.	440620600A0020000
Appraisal District County	Dallas County
Existing Use	Pad Site
Proposed Use	Restaurant w/ Drive-Thru
Future Land Use Designation	General Use
Building Lot Coverage Provided (FAR)	2,660 SF / 38,990 SF = 6.8%
Maximum Lot Coverage (Req'd.)	NONE
Minimum Lot Size (Req'd. / Prop.)	NONE
Minimum Lot Width (Req'd. / Prop.)	NONE
Parking Required	1 Space Per 100 SF 2,660 Net SF / 100 SF = 27 Spaces
Parking Provided	30 (On-Site)
Handicap Parking (Req'd. / Prop.)	2 / 2
Existing Impervious Area	6,651 SF
New Impervious Area	23,057 SF
Total Impervious Area	29,711 SF
Landscape Percentage	22.27% (Refer to Landscape Submittal)
Minimum Lot Size (Req'd. / Prov'd.)	50' / 50'
Front Setback	0'
Side Interior Setback	0'
Side Street Setback	0'
Rear Setback	30'
Max. Structure Height / Floors / Stories	N.A. / N.A.
Proposed Building Height	22'-9"

ALL CURRENT DEVELOPMENT REQUIREMENTS OF THE CITY AS AMENDED SHALL BE MET UNLESS OTHERWISE APPROVED.

THE DEVELOPMENT OF THE SITE WILL BE IN ACCORDANCE WITH CITY OF ROWLETT DEVELOPMENT STANDARDS.

Property Description: (0.766 Acres) Tract 1 (Fee Simple)

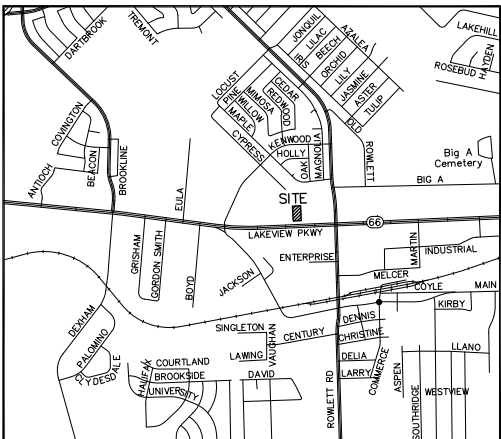
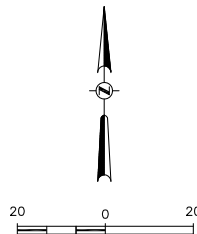
Being all of Lot 2, Block A, of BRIARWOOD ARMSTRONG ADDITION, an addition to the City of Rowlett, Dallas County, Texas, according to the map or plot thereof, recorded under Instrument No. 201500322012, of the Official Records, Dallas County, Texas.

Tract 2 (Non-Exclusive Easement Estate)

Non-Exclusive easement rights created pursuant to Declaration of Easements, Covenants, Conditions and Restrictions for Lakeview Market filed 12/09/2015, recorded under Document No. 201500325089, Official Records, Dallas County, Texas, as affected by First Amendment to Declaration of Easements, Covenants, Conditions and Restrictions for Lakeview Market filed 04/15/2016, recorded under Document No. 201600099814, Official Public Records, Dallas County, Texas.

LIST OF RELATED APPLICATIONS

- SPECIAL USE PERMIT
- ALTERNATIVE LANDSCAPE PLAN
- ALTERNATE BUILDING MATERIALS



SURVEY:

North Texas
Surveying, L.L.C.
Registered Professional Land Surveyors
1515 South McDonald St., Suite 110,
McKinney, TX 75069
Ph. (469) 424-2074 Fax: (469) 424-1997
www.northtexasurveying.com
Firm Registration No. 10074200

PROPERTY LESSEE:

El Pollo Loco, Inc.
3535 Harbor Boulevard, Suite 100
Costa Mesa, CA 92626
Tel: 415.545.8840
Contact: Chris Konecny

OWNER INFORMATION:

Briarwood Armstrong LLC
Briarwood Rowlett LLC
2911 Turtle Creek Boulevard,
Suite 1240
Dallas, TX 75219
Tel: 214-522-7739
Contact: Douglas Florence

EL POLLO LOCO RESTAURANT
DEVELOPMENT PLAN

CASE NO: _____

3101 LAKEVIEW PARKWAY (S.H. 66)

LOCATED IN

PORTION OF LOT 2, BLOCK A
BRIARWOOD ARMSTRONG ADDITION
ROWLETT, DALLAS COUNTY, TEXAS

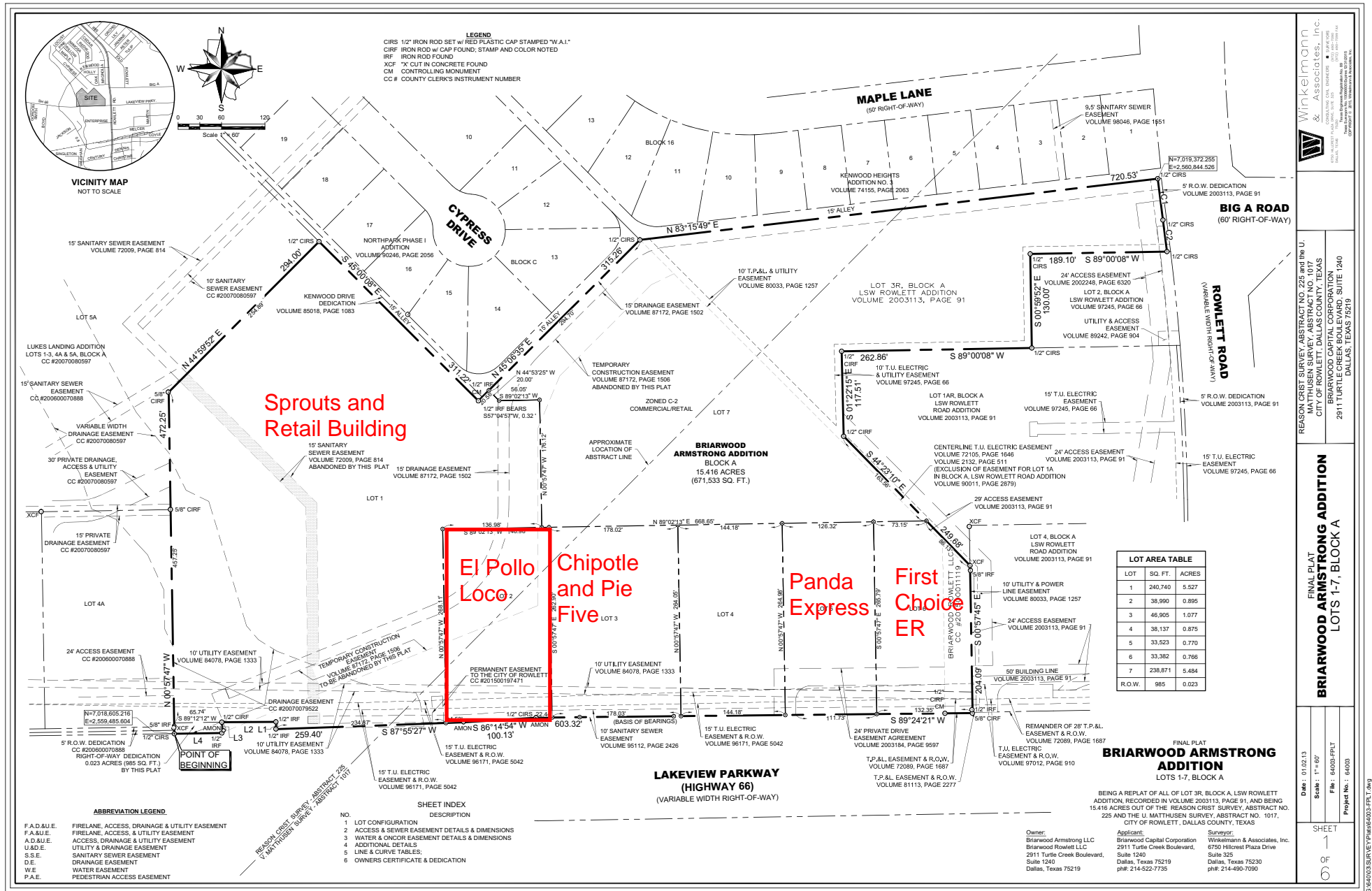
SUBMITTED: JUNE 21, 2016

REVISED: JULY 15, 2016

REVISED: AUG. 5, 2016

REVISED: _____





Department of Development
Services

COURTESY NOTICE OF PUBLIC HEARING

AUG 08 2016

TO: Property Owner

RE: Application for a Special Use Permit

LOCATION: The subject property is located at 3101 Lakeview Parkway further described as being Lot 2, Block A, of the Briarwood Armstrong Addition, City of Rowlett, Dallas County, Texas. A map is attached for reference.

EXPLANATION OF REQUEST: The applicant is proposing a restaurant with a drive-through (El Pollo Loco). Per the Rowlett Development Code, a restaurant with a drive-through requires a Special Use Permit in the C-2 Zoning District. (SUP136-2016)

- ☒ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- ☐ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

welcome to Rowlett!

PROPERTY OWNER NAME

(print):

RAY KNEGGS, Sr.

SIGNATURE:

[Signature]

ADDRESS:

3405 Enterprise Dr. Rowlett, TX. 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services located at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 23rd of August, 2016, and that the City Council will hold a public hearing at 7:30 p.m. on the 6th day of September, 2016. Both hearings will be held at the Municipal Center, 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. Your response must be received in the Development Service Department by 5 pm on Wednesday, August 17, 2016, for your comments to be included in the Planning and Zoning Commission packet and/or by Wednesday, August 26, 2016, to be included in the City Council packet. All responses received by August 17 will be forwarded to the Council as well; it is not necessary to respond twice. Responses received after the times noted above shall not be counted in the record of response.

date 8-8-2016 - 3:45 pm

If you have any questions concerning this request,
please contact the Department of Development

Services

Phone 972-463-3906

FAX 972-412-6228

kgoodrich@rowlett.com

RETURN BY FAX OR MAIL

City of Rowlett

Development Services

PO Box 99

Rowlett, TX 75030-0099



City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75030-0099
www.rowlett.com

AGENDA DATE: 8/23/2016

AGENDA ITEM: C2

AGENDA LOCATION:

Individual Consideration

TITLE

Conduct a public hearing and make a recommendation on a rezoning request from Commercial/Retail Highway (C-3) and Park Zoning Districts to the Urban Village Form Based Zoning District (UV-FB). The subject properties are located at 4500 and 4800 Main Street, and 3801 President George Bush Hwy, further described as being 57.61+/- acres in the William Crabtree Survey, Abstract #347, and Lot 1, Block A, Kirby Elevated Tank Addition, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Daniel Acevedo, Urban Designer

SUMMARY

The City of Rowlett is the applicant for this zoning request.

The applicant is requesting to rezone the subject properties (Attachment 1 – Location Map) to the Urban Village Form Based (UV-FB) District for the purposes of building a pedestrian oriented urban development and incorporating the southern portion of Herfurth Park and the adjacent Rowlett Water Tower property into the Downtown Framework Plan. No changes are proposed for the Downtown Framework Plan other than adding the subject properties.

BACKGROUND INFORMATION

One of the subject properties includes a 33-tract of land owned by Global Investment Group (applicants) located at the southwest corner of Main Street and President George Bush Tollway (PGBT). The other two properties included in the rezoning request are owned by City of Rowlett. This includes the 10.7 acre lot that has a City water tower located at 3801 PGBT and 13 acres +/- of the southern portion of Herfurth Park. The southern portion of Herfurth Park and the water tower site are being included in the rezoning request on behalf of the City in order to incorporate them into the Downtown Framework Plan. The northern portion of Herfurth Park is already included in the Downtown Framework District (Attachment 2 – Existing Downtown Framework Plan). Inclusion of Herfurth Park is not for the purposes of developing the park. The City will continue to maintain ownership of the park and is in fact proposing an upgrade to the park facilities in the near future.

The subject properties are currently zoned Commercial/Retail Highway (C-3) and Park Zoning Districts and are regulated by the Rowlett Development Code (RDC). The subject properties are

also located in the Regional Trade Sub-District, which is one of the 13 opportunity areas identified in the Realize Rowlett 2020 Comprehensive Plan (Attachment 3 – Regional Trade Sub-District). When the plan was initially adopted in 2011, it was understood that the City would take an active role in rezoning several of the priority opportunity areas. This was accomplished through the adoption of the Form Based Code (FBC) and subsequent rezoning of Downtown, Signature Gateway, Healthy Living, Woodside Living and the Northshore districts. It was determined that the remaining opportunity areas, including Regional Trade, would be addressed as development opportunities arose.

The main objective outlined for the Regional Trade Sub-District is to allow for commercial and retail uses along President George Bush Turnpike. It is the applicants' desire to meet these goals by pursuing an urban development that will adhere to the UV-FB standards. By rezoning to the UV-FB, the applicant will be required to address key considerations outlined in the Regional Trade section of the Comprehensive Plan as well as the requirements of the FBC itself (e.g. trails, pathways, connectivity, public open space, frontage on PGBT and Main Street, parking and lighting). The UV-FB is a mixed use, pedestrian friendly, urban district that places an emphasis on the spatial definition of the public realm. Furthermore, it helps to shape the neighborhood in a way that aims to seamlessly incorporate its context through transition and connectivity.

The next step to furthering the vision for this area is to establish the appropriate base zoning district through the approval of a Framework Plan. This rezoning request will add the subject properties into the Downtown Framework Plan as shown in Attachment 4. No other changes are being proposed for the Downtown Framework Plan. The subject properties will follow the same requirements and utilize the same street cross sections that are already included in the Downtown Framework Plan. If approved, the applicants will then be required to submit and receive approval of a preliminary plat, detailed development plans, final plat, civil engineering plans, and building plans all prior to building on the site.

DISCUSSION

Section 77-805 of the *RDC* states that the Planning and Zoning Commission shall consider the following when making a recommendation on rezoning requests. Staff's commentary is in bold italics beneath each criterion.

1. Whether the proposed rezoning corrects an error or meets the challenge of some changing condition, trend, or fact;

The proposed rezoning meets the challenge of a changing condition and trend in that, in terms of pedestrian friendly urban development, the current (C-3) Commercial/Retail zoning district no longer meets the intent for the area as outlined in Realize Rowlett 2020 Comprehensive Plan. This can be attributed to adjacent development of the Downtown District (e.g., First United Methodist Church, Herfurth Park renovations, Village of Rowlett, and Main Street extension to PGBT) that create the need for a connected and compatible urban fabric. Furthermore, the existing

Park designation corrects an error, in that this designation is no longer applicable as a zoning district throughout the city. Currently the northern half of Herfurth Park is Zoned UV-FB and the southern portion zoned Park District. The portion of the park being requested and the water tower site, is on behalf of the city in efforts to bring them into the Downtown district amending its boundaries. Staff believes that approving the proposed rezoning request will further the vision outlined in the Realize Rowlett 2020 Comprehensive Plan.

2. Whether the proposed rezoning is consistent with the comprehensive plan and the purposes of this code stated in subchapter 77-103, Purpose of this Code;

The subject properties are located in the Regional Trade Sub-District, where the intent is to allow for highway commercial/retail uses, class-b/flex office space, and large format retailers ranging in size from 25,000 to 200,000 square feet. While the existing C-3 zoning may facilitate highway commercial/retail uses, adopting the UV-FB District for the subject properties will allow a wider range of uses and ensure a more seamless transition with the Downtown District. The UV-FB district will place additional requirements for streetscape improvements, open space, and connectivity that would be lacking in a development under C-3 zoning. Developing under the UV-FB district will provide a seamless transition from the Downtown to PGBT, and provide necessary cross connections to alleviate traffic congestion on Skyline and Main Street.

The UV-FB will ensure that future development will meet the portion of the Guiding Principles that apply to this site as outlined in the Realize Rowlett 2020 Comprehensive Plan. The intent of the FBC is based on the Comprehensive Plan and the Guiding Principles. Listed below are the Guiding Principles specifically identified for the Regional Trade Sub-District that will be reinforced with the proposed rezoning.

- ***Guiding Principle #2: Grow the City's economy through diversification of job and business opportunities***
- ***Guiding Principle #5: Maximize the benefits of major public infrastructure investments (existing, planned)***
- ***Guiding Principle #7: Diversify mobility options within the City and connect activity areas***
- ***Guiding Principle #9: Balance growth through efficient development patterns.***
- ***Guiding Principle #11: Position Rowlett for an appropriate scale of investment and reinvestment supported by market trends.***

3. Whether the proposed rezoning will protect or enhance the health, safety, morals, or general welfare of the public;

Staff does not anticipate the proposed rezoning to impact negatively the health, safety, morals, or general welfare of the public. If approved, the proposed development will be required to comply with all applicable development standards in the FBC as well those standards in the RDC including drainage, traffic, and utility requirements.

4. Whether the municipality and other service providers will be able to provide sufficient transportation and utility facilities and services to the subject property, while maintaining sufficient levels of service to existing development;

Staff has reviewed the proposed rezoning from the standpoint of providing sufficient transportation access and utilities (e.g., water, sanitary sewer, stormwater drainage). Prior to the approval of the Regulating Plan, Staff will ensure adequate capacity for utilities is provided as required by City ordinances.

5. Whether the proposed rezoning is likely to have significant adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation;

It is unlikely that the proposed rezoning will have significant adverse impacts on the natural environment. The proposed UV-FB, will ensure that the natural features are utilized as an asset not only for the proposed development, but for the larger community. The intent of the FBC is to enhance the site's natural conditions by way of neighborhood design, which happens at the Regulating Plan phase of the FBC development review process. The applicant will be required to tie into the park and trail system as shown on the Framework Plan, which is publically accessible to the adjacent community and provides an attractive natural buffer to the Downtown.

6. Whether the proposed rezoning will have significant adverse impacts on other property in the vicinity of the subject tract;

Staff does not anticipate that the proposed rezoning will have significant adverse impacts on other properties in the vicinity. As indicated previously, the Herfurth Park portion is not for the purposes of developing anything within the park. The city will continue to maintain ownership of the park and is proposing an upgrade to the facilities within, in the near future. Furthermore, FBC requirements dictate that buildings will treat any existing open space as a frontage, ensuring service functions are not located within sight and placing eyes on the park (which enhances security, park activity, and fosters a sense of place). An UV-FB district will ensure that the design of any proposed development will be seamlessly integrated into the adjacent district.

7. The suitability of the subject property for the existing zoning classification and proposed zoning classification;

It is Staff's opinion that the proposed zoning is more suitable for the subject properties than the current zoning as it was envisioned by the Realize Rowlett 2020 Comprehensive Plan. As previously mentioned, rezoning to a FBC district would allow a wider range of uses and would place additional requirements for streetscape improvements, open space, and connectivity that would be lacking in a conventional development. This will provide a seamless transition from the Downtown to PGBT, and provide necessary cross connections to alleviate traffic congestion on Skyline and Main Street.

8. Whether there is determined to be an excessive proliferation of the use or similar uses;

The UV-FB standards allow for a broad range of building types and uses to be constructed within a development. It is Staff's view that the proposed rezoning will not result in an excessive proliferation of a particular type, rather it will diversify the product offered in this district.

9. Whether the proposed rezoning will ensure that future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract; and;

It is Staff's view that the proposed rezoning will ensure that future uses on the tract will be compatible in scale with uses adjacent to this property.

10. The supply of land in the economically relevant area that is in the use district to be applied by the rezoning or in similar use districts, in relation to the demand for that land.

It is staff's opinion that there is adequate demand in the Downtown area to support the increased supply of land zoned under the UV-FB District. Additionally, the current C-3 zoning has failed to generate any demand for development.

Framework Plan

The Framework Plan incorporates the development regulations and the spatial exhibit showing high-level features including thoroughfare assemblies. Below are the key elements of the Framework Plan:

Open Space: The UV-FB requires 10 percent of the developable area to be comprised of public Open Space. Up to half of that requirement can be met utilizing the adjacency to Herfurth Park. The remaining five percent of the open space will be provided internally within the development through centralized open space for active and passive recreation, as well as storm water management.

Street Typologies: The Framework Plan includes street typologies that were previously adopted in the Downtown District. The applicant is proposing to utilize the already adopted street typologies from that Downtown Framework Plan for this development.

In summary, the proposed UV-FB District consists of a 57-acre pedestrian-oriented, urban neighborhood to be governed under the City's FBC is consistent with the vision set forth in the Realize Rowlett 2020 Comprehensive Plan. It is staff's opinion that the proposed rezoning meets the above criteria for a rezoning and recommends approval of that request. Utilizing the FBC will ensure that the proposed development achieves many of the Guiding Principles and the vision outlined in the Comprehensive Plan by ensuring a neighborhood design that emphasizes the following:

- Open Spaces
- Variety of building types
- Pedestrian facilities
- Consistency with the Downtown Framework Plan

It is important to note, at this time, the applicant has not requested any Major Warrants with this submittal and is in line with all FBC requirements for a Framework Plan. In order to generate this Framework Plan, staff has worked closely with the applicant, through the Charrette process to ensure that the connectivity and open space would be treated and preserved in a manner that is consistent and compatible with the Downtown District.

It is also important to note, that the Framework Plan is by design basic in nature and used to apply zoning to a property. Specific development regulations are not outlined in detail with this request because they were previously vetted and approved by the City Council with the adoption of the FBC and UV-FB District in 2012. Based on the analysis above, Staff believes that the rezoning of this property is in harmony with the City's overall vision set forth in the Comprehensive Plan for the Regional Trade Sub-District.

Public Hearing Notices:

Notice of this public hearing was mailed, posted, and published in accordance with State Law and the Rowlett Development Code. Thirty-nine 200ft notices and sixty-three courtesy 500ft notices were mailed on August 5, 2016, and as of Friday, August 19, 2016, Staff has received the following:

- 200 ft. notification area: one in favor and three in opposition.
- 500 ft. courtesy notification area: two in favor and one in opposition

These responses are included as Attachment 6.

FISCAL IMPACT

N/A

RECOMMENDED ACTION

Staff recommends approval.

ATTACHMENTS

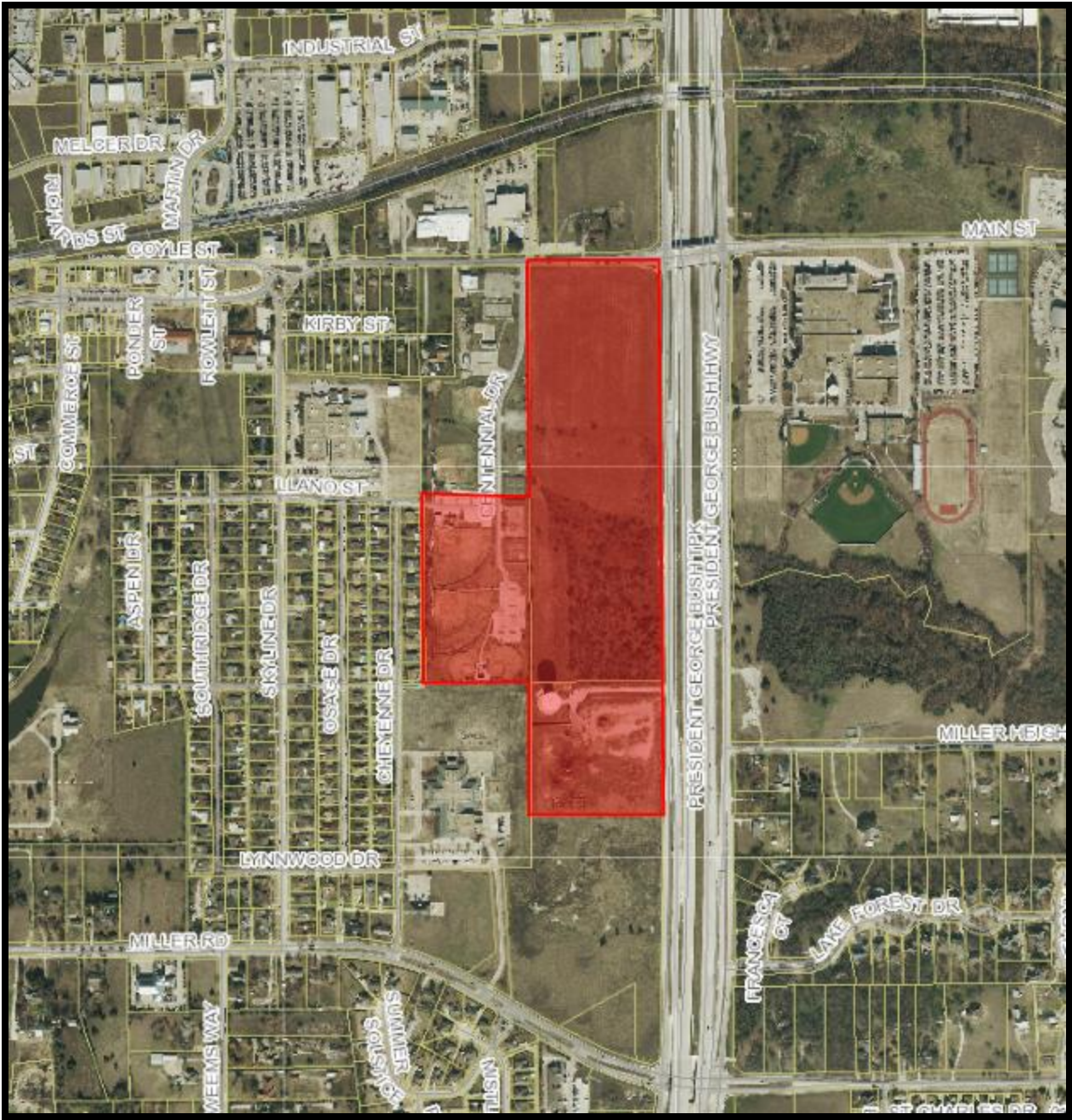
Attachment 1 – Location Map

Attachment 2 – Regional Trade (E-3) District

Attachment 3 – Downtown Framework Plan - Existing

Attachment 4 – Downtown Framework Plan Amended

Attachment 5 – Public Hearing Notices



Downtown

Overview

Unless otherwise noted below, all standards in the City of Rowlett Form Based Code will govern. The Regulating Plan is based on the Realize Rowlett 2020 Comprehensive Plan and will provide guidance and direction for the application of design standards and principles in approving final Development Plans and permits.

Intent. It is intended that Downtown becomes the cultural “heart” of the City. It will be the City’s highest density area and will focus on the DART station and several public parks, squares and plazas. The uses currently north of the DART rail line are primarily light industrial which provides a valuable incubation and transition area for long term higher density residential development associated with transit and the turnpike. Downtown will be a regional destination that will help diversify housing product types, and support unique higher quality retail shops and restaurants in the City.

Districts

The Downtown is comprised of two Form Based Districts (“FB Districts”) – New Neighborhood and Urban Village – as set out in the attached Regulating Plan. These FB Districts are modified as set out below.

New Neighborhood

General Boundaries. The New Neighborhood FB District is bounded by Christine Street to the north, the drainage corridor to the east, the cemetery to the south and Rowlett Road to the west. (See Regulating Plan.)

Building Types. All New Neighborhood Building Types in the Form Based Code are allowed in this area.

For redevelopment to the Townhome Building Type, the site must be large enough to accommodate at least 4 units. This is a minimum of two 50-55 foot lots.

Building Height. The maximum building height will be 2 ¹/₂ stories.

Transitions. It is intended that the Townhouse Building Type will occur along the south side of Christine Street (which is the boundary of the Urban Village FB District), in order to provide an appropriate transition to possibly lower density residential buildings to the south.

Urban Village

General Boundaries. The Urban Village FB District is bounded by Lakeview Parkway to the north; President George Bush Turnpike to the east; Main Street, Llano Street and Christine Street to the south; Herfurth Park to the south and east; and Rowlett Road to the west. (See Regulating Plan.)

Building Types. All Urban Village Building Types in the Form Based Code are allowed in this District.

Building Height. The maximum building height will be 7 stories. The minimum building height will be 2 stories. One-story buildings may be allowed under certain conditions, but will require approval of a Minor Warrant.

Land Use. The following additional land uses will be allowed:

1. Financial institutions, coffee shops and restaurants with drive-thrus adjacent and fronting on Lakeview Parkway. Provided that –
 - a. All drive thru access (driveways) shall be from the Browsing Lane/Slip Road along Lakeview Parkway.
 - b. Drive thru lanes and/or canopies shall not have frontage along or be located along any internal, pedestrian oriented streets.
 - c. Drive thru areas shall be screened by a 4 foot high street screen.
 - d. At least 50% of the building façade along the Browsing Lane/Slip Road must be located within the Build-to-Zone unless set back to create a public plaza, pocket park or patio.

Transitions. North of Llano Street, there is a 100-foot wide Transition Zone in the Urban Village FB District where buildings cannot exceed 2 ½ stories in height (the height of the adjacent residential district) and will be setback at least 50-feet from the property line.

The transition between the Urban Village and New Neighborhood FB Districts will be accommodated along Christine Street, within the New Neighborhood FB District, through the development of Townhomes.

Streets. The street system is intended to facilitate circulation for pedestrians, bicycles, vehicles and emergency services. As redevelopment occurs north of the DART rail line, existing large blocks will be reconfigured into smaller blocks more suited for non-industrial uses. The designation of alleys provides guidance for service as blocks redevelop over the long term.

Flex Space. Flex Space is required along Main Street, portions of Martin Drive, and facing Open Space. Any allowed use in the Urban Village FB District is permitted in the Flex Space.

Open Space. Downtown is planned to contain Open Space throughout to provide important foci for urban neighborhoods. All of these areas will be connected with shaded sidewalks and trails.

Landmarks. Several locations at entries into Downtown and on sites in line with terminated street vistas provide opportunities for landmark features on buildings such as increased height, changes of building form and changes of roof lines (See the Regulating Plan and Form Based Code). These locations will help to provide interest and identity within Downtown to the benefit of all property owners.

Browsing Lane. A Browsing Lane (interconnected 2-way drive with head-in angled parking on both sides) is identified for properties north of the DART rail line and adjacent to Rowlett Road, Lakeview Parkway and President George Bush Turnpike. This extends the existing dominant pattern of parking adjacent to

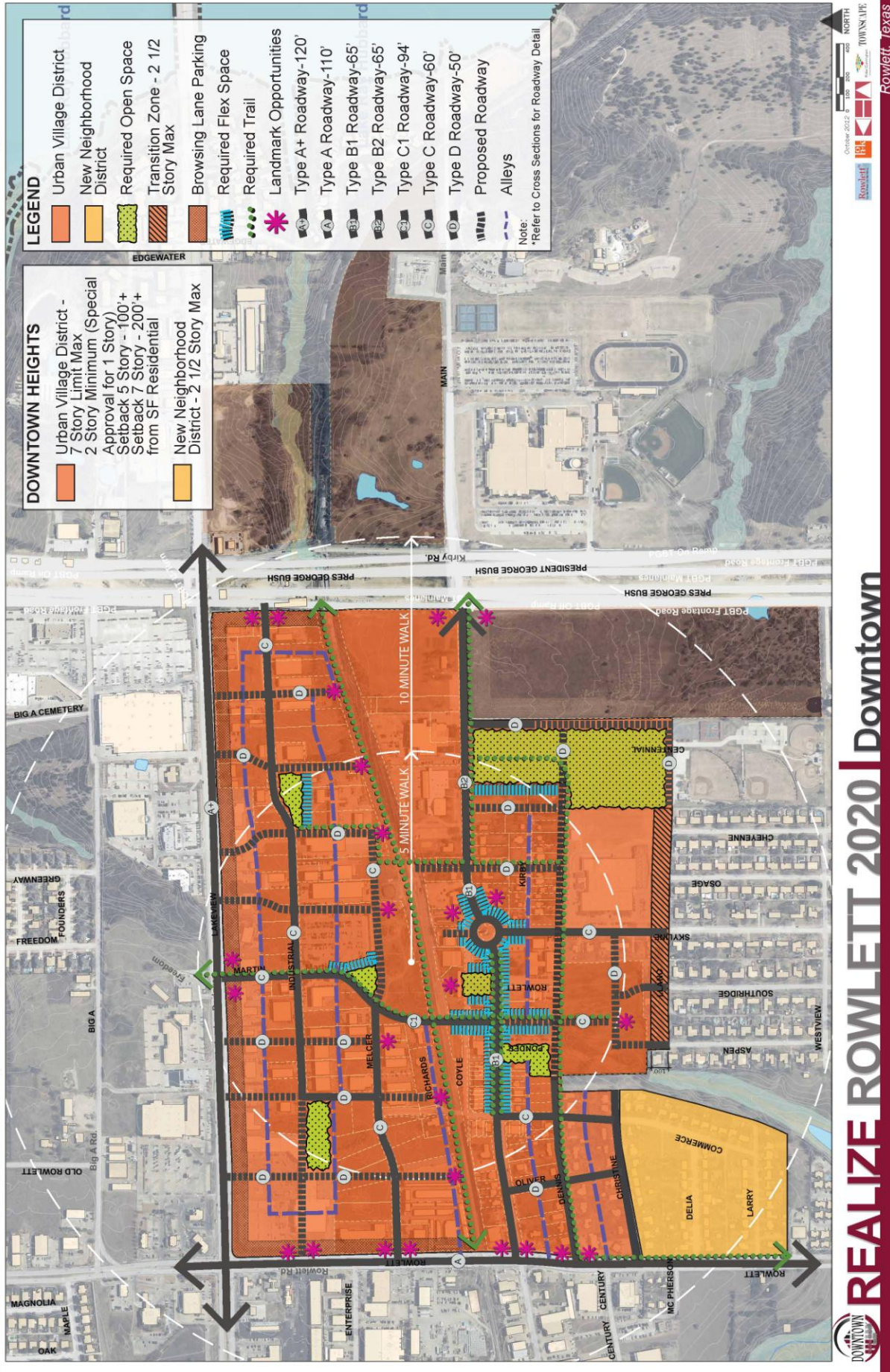
the major roadways and facilitates circulation and access to businesses along such high traffic limited access roadways. The intent is that vehicles can easily enter these lanes from major roadways and drive slowly but continuously along those corridors to access businesses.

Landscaping along the portion of the Browsing Lane immediately adjacent to President George Bush Turnpike will be evaluated on a case by case basis. This is due to the fact that adequate landscape buffering will need to be provided along the private property line to shade the trail as proposed on the City's Trails Master Plan. The trail is delineated along the right-of-way of President George Bush Turnpike.

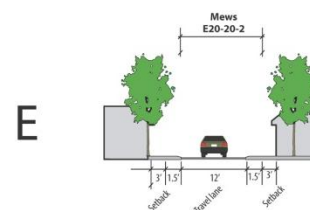
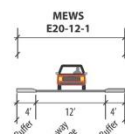
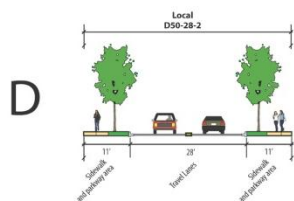
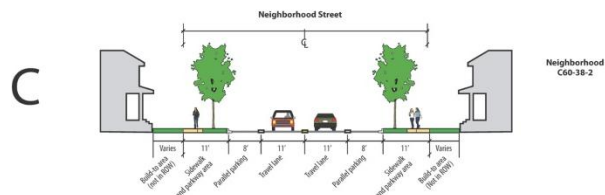
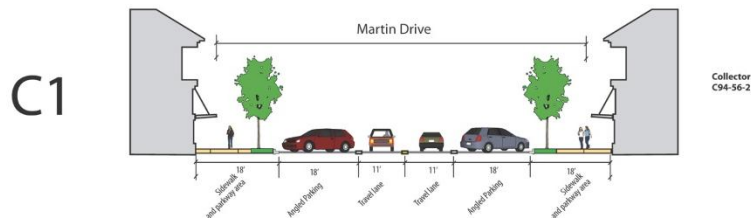
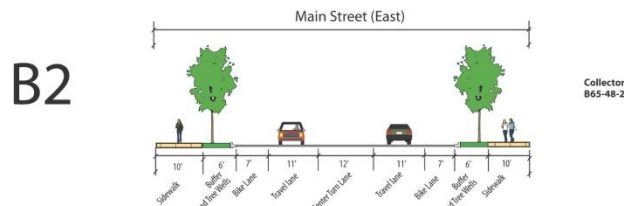
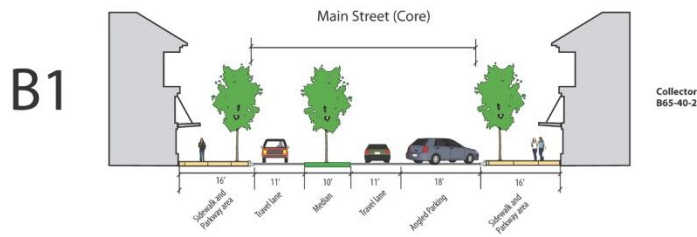
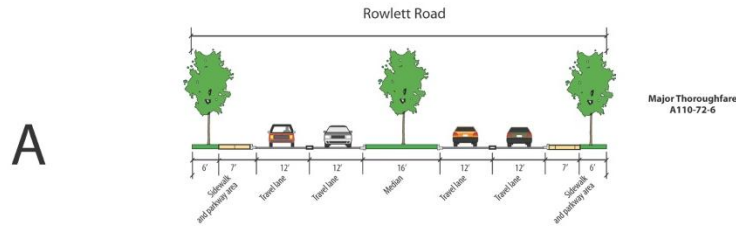
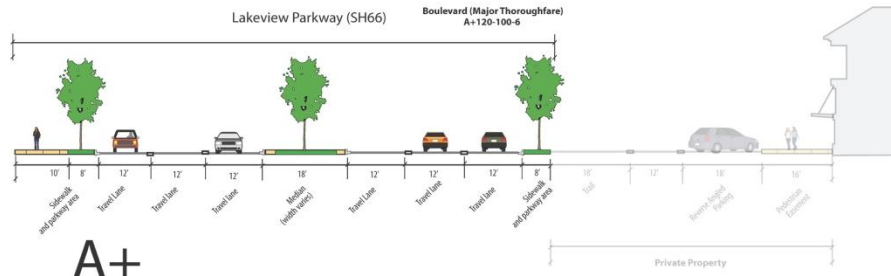
Attachments:

1. Regulating Plan
2. Street Cross Sections

Downtown (E4) - Regulating Plan



Downtown (E4) - Cross Sections



REGIONAL TRADE | AREA E-3



DEVELOPABLE ACRES: * 107

PRODUCT TYPES:

- Highway Commercial
- Class B Office
- Flex Office
- Limited-Service Hotels

SUPPORTABLE PSYCHOGRAPHICS

- American Dreams
- Multi-Culti Mosaic

** Net floodplain and parcels less likely to redevelop in the near-term (five to 10 years).*

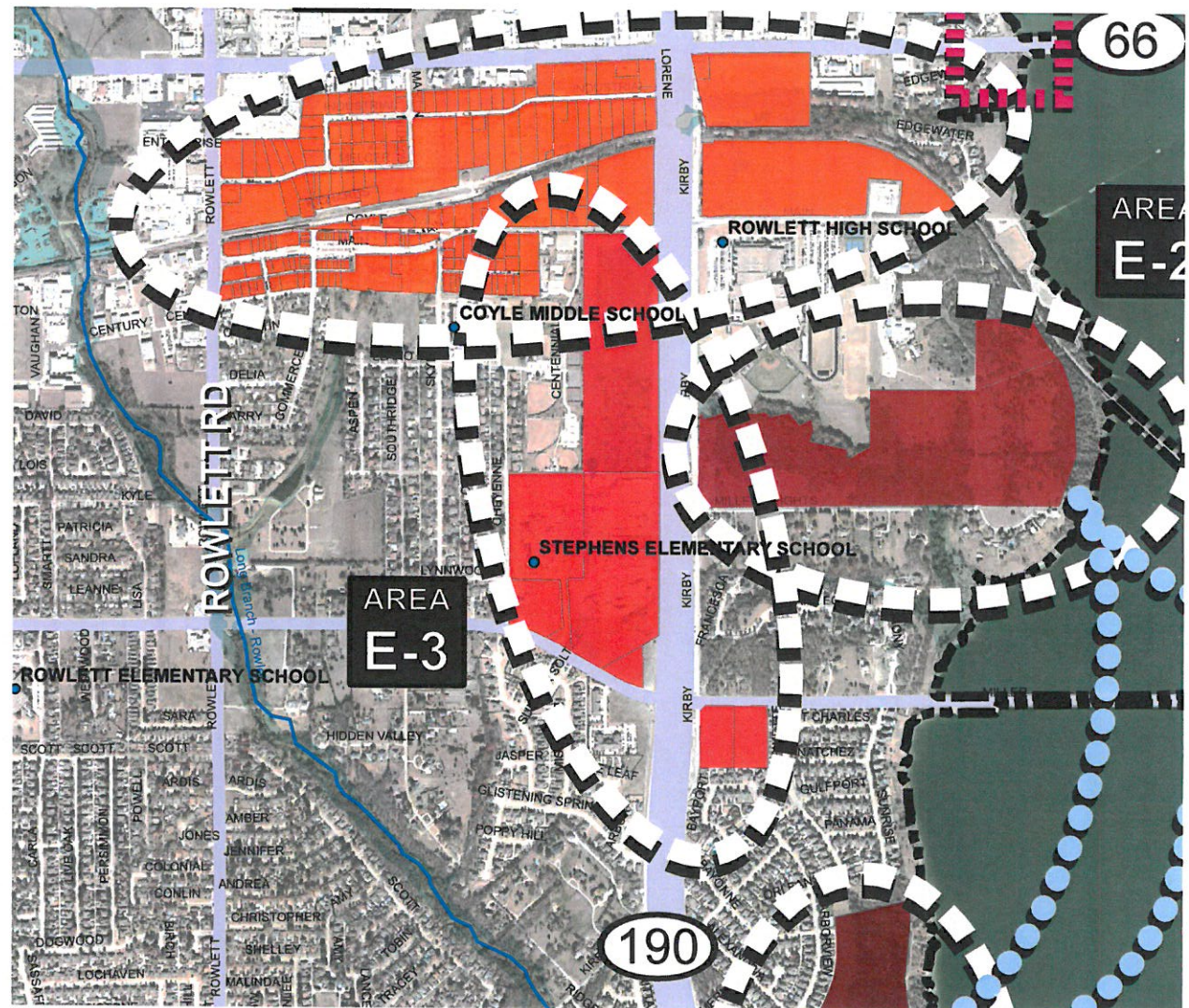
VISION

Regional Trade will be the City's most obvious location for region-serving commercial uses, in-line commercial and professional space users, and moderate scale "Class B" office buildings. With its visibility and access from PGBT, the Regional Trade subarea will likely attract large format retailers ranging in size from 25K to 100K+ square feet. This subarea provides a location in Rowlett for these uses, which are not appropriate in the Northshore, Center for Commerce and Industry, and Business Beltway subareas. To this end, the City will need to prepare for the potential loss of existing commercial operators on Lakeview Parkway to sites located adjacent to the PGBT. In the long-term these uses may be replaced by mixed-use products that outgrow their location within Old Town.

Essential elements that will have to be in place in order for this investment scenario to be realized include: well-signed and visible access points from PGBT; connections to area activity centers; and, sites "readied" for development and devoid of physical challenges.

MARKET

- Leveraging the renaissance of existing commercial corridors within the community combined with the introduction of tollway frontage, large-scale commercial uses will likely migrate to this location.
- Parcels in this subarea will be well-positioned to capture a fair share of the Trade Area's growth – 9.6+ million square feet of office space in the Trade Area, 14.3 million square feet of industrial space in the Trade Area, and 2.5 million square feet of commercial retail space in the Trade Area.



REGIONAL TRADE | AREA E-3

GUIDING PRINCIPLES



	GUIDING PRINCIPLE	E-3 REGIONAL TRADE
1	Value existing neighborhoods	
2	Grow the City's economy through diversification of job and business opportunities	**
3	Make Rowlett a community that is attractive to people at all stages of their lives	
4	Invest in places of lasting value and distinctive character	
5	Maximize the benefits of major public infrastructure investments (existing, planned)	***
6	Use Lake Ray Hubbard and Rowlett's natural assets to create a distinctive identity...	
7	Diversify mobility options within the City and connect activity areas	*
8	Create centers with a mix of activities at key locations in Rowlett	
9	Balance growth through efficient development patterns	**
10	Support quality educational resources to meet the needs of Rowlett residents...	
11	Position Rowlett for an appropriate scale of investment and reinvestment...	***
12	Fund public investment that leverages desired private investment	
13	Ensure that <i>Realize Rowlett 2020</i> is a statement of the City's policy for future...	
	<i>Bold principles relate to citywide concerns and are not specific to any individual geographic area</i>	
	<i>Key:</i>	
	<i>Strongest Support of Principle</i>	****
	<i>Moderate Support of Principle</i>	***
	<i>Some Support of Principle</i>	**
	<i>Incidental Support of Principle</i>	*

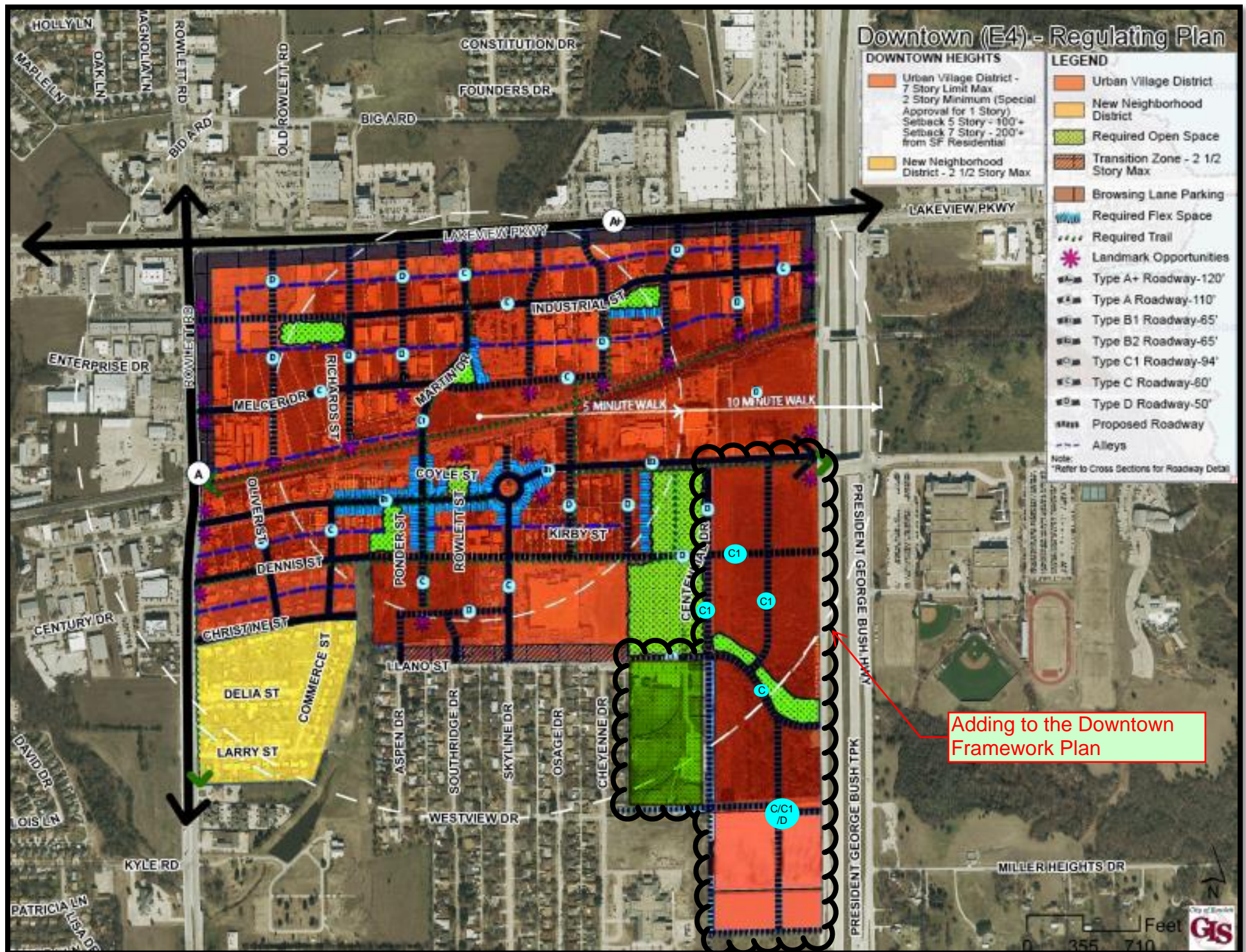
IMPLICATIONS

Physical	Mix of developed and undeveloped commercial and remnant sites.
	Valuable visibility to and from PGBT.
	Opportunities to support larger format commercial and office development.
	Slope (terrain) issues will impact the size of commercial footprints that can feasibly locate here.
	Existing floodplain and gas line divide the property and will create development challenges.
Infrastructure	Infrastructure / utilities to support this vision generally exist in the area.
	A utility corridor east of PGBT may be a barrier for some types of development products in the near-term (mixed-use).
Access	New access is being provided by PGBT and associated frontage roads.
	Exit and entrance ramps on the northbound side will serve the site well, however, roads into the area will need to be carefully located to maximize access opportunities.
	Access from northbound PGBT is adequate.
	A rubber-tired or fixed trolley could connect the area to the DART station in Old Town.
Market	The area's adjacency to existing industrial and other business uses, along with its proximity to both DART and adjacency to PGBT will influence the uses that develop here.
	As the City strategically precludes large format retail in other subareas including Northshore, Center for Commerce and Industry and Business Beltway, those uses will likely migrate to Regional Trade.
	In addition to new uses, the City should prepare for the loss of some existing retailers currently located on SH 66 (Lakeview Parkway) to this area given its enhanced visibility - leaving the City with redevelopment challenges on this principle east-west corridor.
Financial	Tax Increment Financing (TIF) or Municipal Management District (MMD) revenues should be used to assist with preparing this area for new investment including assisting with siting viable businesses - commercial retail and office.
Regulatory	Current zoning in the area will accommodate the envisioned uses.
	With a new wave of large retailers in this area, the City will need to develop policies that protect itself against the ultimate demise or reconfiguration of uses from the Lakeview Parkway corridor.
Organizational	The City should encourage regional retail opportunities in this location, largely in an effort to capitalize on its tax revenues, but all also to prevent the stripping out of other commercial locations in the City.
	Whereas the City will play a more significant role in other locations in order to advance the vision, the market will take care of this area.

REGIONAL TRADE | AREA E-3

IMPLEMENTATION

IMPLEMENTATION STRATEGIES (ACTIONS)	TIMING
<i>The specific strategy (action) to be taken</i>	<i>Priority, short, medium, long-term, future or on-going</i>
Market and promote the area as a destination for large format commercial retailers and modest office development.	Short - to Mid-Term
Prepare an urban design framework that identifies locations and design concepts for district gateways, nodes and streetscape for the area, and the commercial areas of the PGBT corridor.	Short - to Mid-Term
Prepare design guidelines that control quality / consistency of development.	Mid-Term
Complete transit connections between this area and Old Town through a shuttle or trolley system.	Mid-Term
Negotiate access rights with TxDOT and NTTA for future driveway connections along the frontage road.	Short-Term
Develop several regulating tools that protect the City in the event future retailers ultimately vacate their buildings (i.e., "go dark" provisions, escrow dollars for demolition, right of first refusal, etc.)	Short-Term
Anticipate the loss of existing retailers in the City to this location and prepare a redevelopment strategy for the reinvention and retaining of these more established commercial locations.	Short-Term
Use Tax Increment Financing (TIF) or Municipal Management District (MMD) revenues to assist with preparing this area for new investment including siting viable businesses - commercial, retail and office.	On-Going





Development Services
Department/Planning Division

NOTICE OF PUBLIC HEARING

05-17-16P01:06 RCVD

TO: Property Owner

RE: Application for a Zoning Change

LOCATION: The subject property is located at 4500 and 4800 Main Street, and 3801 President George Bush Hwy, further described as being 57.61+/- acres in the William Crabtree Survey, Abstract #347, and Lot 1 Block A, Kirby Elevated Tank Addition, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The applicant requests a rezoning from Commercial/Retail Highway(C-3) and Park Zoning Districts to the Urban Village Form Based Zoning District for the purposes of building a pedestrian oriented urban development and incorporating Herfurth park into the Downtown Framework Plan.

☐ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

☒ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: THIS NEIGHBORHOOD DOES NOT NEED, NOR WANT, THE HIGH DENSITY HOUSING NOR THE ADDED TRAFFIC

SIGNATURE: James R. Bayless

ADDRESS: 4210 CHEYENNE DR.

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 23rd day of August 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 6th day of September 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. The protest must be received by the Planning Division by 5 pm on Wednesday, August 17th to be included in the Planning and Zoning Commission packet and Wednesday, August 24th to be included in the City Council packet. The protest shall object to the rezoning, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

If you have any questions concerning this request, please
contact the Planning Division
Phone 972-463-3904
FAX 972-412-6228
dacevedo@rowlett.com

RETURN by Mail
City of Rowlett Planning Division
3901 Main Street
Rowlett, TX 75088



Development Services
Department/Planning Division

NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Zoning Change

LOCATION: The subject property is located at 4500 and 4800 Main Street, and 3801 President George Bush Hwy, further described as being 57.61+/- acres in the William Crabtree Survey, Abstract #347, and Lot 1 Block A, Kirby Elevated Tank Addition, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

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- ☐ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- ☒ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

08-17-16 AUG:36 RCVD

COMMENTS:

See attachedment

SIGNATURE:

Alan E Bollman

ADDRESS:

4109 Cheyenne

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 23rd day of August 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 6th day of September 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

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GRIEF: the impact of loss on children

CONTINUING EDUCATION COURSE

Lehigh Valley Heritage Center • Allentown, PA

notes:

8/11/16

1. Along with other development in downtown Main this would greatly increase the density of traffic and population to a neighborhood that was sold and zoned as single family, along with putting additional traffic on badly deteriorated streets off Cheyenne, and Leno.
2. Pedestrian traffic at the Urban Village will cause a dissolution of the desirable isolation and security for children and in the elementary and middle schools adjacent to the property.
3. Please place my name as a "NO" for this Project

06-17-16A03:36 FCVD

Alan E Bollman

4109 Cheyenne

Rowlett TX 75088

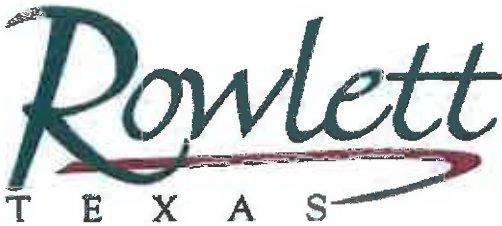
972-475-0271

Home

214-402-4480

Cell

Alan E Bollman



**Development Services
Department/Planning Division**

NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Zoning Change

LOCATION: The subject property is located at 4500 and 4800 Main Street, and 3801 President George Bush Hwy, further described as being 57.61+/- acres in the William Crabtree Survey, Abstract #347, and Lot 1 Block A, Kirby Elevated Tank Addition, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

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- ☒ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- ☐ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

ADDRESS:

[Handwritten Signature]
4328 Kirby Street

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 23rd day of August 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 6th day of September 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

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dacevedo@rowlett.com

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City of Rowlett Planning Division
3901 Main Street
Rowlett, TX 75088



Development Services
Department/Planning Division

NOTICE OF PUBLIC HEARING

TO: Property Owner 08-15-16P02:56 RCVD

RE: Application for a Zoning Change

LOCATION: The subject property is located at 4500 and 4800 Main Street, and 3801 President George Bush Hwy, further described as being 57.61+/- acres in the William Crabtree Survey, Abstract #347, and Lot 1 Block A, Kirby Elevated Tank Addition, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

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- ☐ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- ☒ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS: ZONING WILL HAVE A NEGATIVE AFFECT ON PROPERTY VALUE.

SIGNATURE:

William J. Duvall

ADDRESS:

4202 CAYENNE DR.

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 23rd day of August 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 6th day of September 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

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Rowlett, TX 75088



**Development Services
Department/Planning Division**

COURTESY NOTICE OF PUBLIC HEARING

TO: Property Owner

RE: Application for a Zoning Change

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- ☒ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- ☐ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

08-17-16 408:35 RCVD

COMMENTS:

SIGNATURE:

ADDRESS:

*Location: 4205 Osage Dr.
Miki Carpenter
PO Box 222, Wylie, TX 75098*

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 23rd day of August 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 6th day of September 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

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3901 Main Street
Rowlett, TX 75088



**Development Services
Department/Planning Division**

08-17-15A108:35 RCVD

COURTESY NOTICE OF PUBLIC HEARING

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RE: Application for a Zoning Change

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☐ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:

☒ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

I have lived in Rowlett 34 years and like the open spaces. I don't want the traffic.

SIGNATURE:

Hallie Craft

ADDRESS:

3906 Dodge Dr. Rowlett, TX 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 23rd day of August 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 6th day of September 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

Please legibly respond in ink. If the signature and/or address are missing, your comments will not be recorded. The protest must be received by the Planning Division by 5 pm on Wednesday, August 17th to be included in the Planning and Zoning Commission packet and Wednesday, August 24th to be included in the City Council packet. The protest shall object to the rezoning, contain a legal description of the property on behalf of which the protest is made, and be signed by the owner of the property.

If you have any questions concerning this request, please contact the Planning Division
Phone 972-463-3904
FAX 972-412-6228
dacevedo@rowlett.com

RETURN by Mail
City of Rowlett Planning Division
3901 Main Street
Rowlett, TX 75088



Development Services
Department/Planning Division

COURTESY NOTICE OF PUBLIC HEARING

08-17-16P01:06 RCVD

TO: Property Owner

RE: Application for a Zoning Change

LOCATION: The subject property is located at 4500 and 4800 Main Street, and 3801 President George Bush Hwy, further described as being 57.61+/- acres in the William Crabtree Survey, Abstract #347, and Lot 1 Block A, Kirby Elevated Tank Addition, City of Rowlett, Dallas County, Texas. A location map depicting a 200-ft notification area is attached for reference. This notice and the notification area are required under Chapter 211.007 of the Texas Local Government Code.

EXPLANATION OF REQUEST: The applicant requests a rezoning from Commercial/Retail Highway(C-3) and Park Zoning Districts to the Urban Village Form Based Zoning District for the purposes of building a pedestrian oriented urban development and incorporating Herfurth park into the Downtown Framework Plan.

- ☒ I AM IN FAVOR OF THE REQUEST FOR THE FOLLOWING REASONS:
- ☐ I AM OPPOSED TO THE REQUEST FOR THE FOLLOWING REASONS:

COMMENTS:

SIGNATURE:

Mohammed Alfarad

ADDRESS:

4001 Cheyenne, Rowlett, TX 75088

Your written comments are being solicited in the above case. Additional information is available in the Department of Development Services/Planning Division at 3901 Main Street. The Planning and Zoning Commission of the City of Rowlett, Texas, will hold a public hearing at 6:30 p.m. on the 23rd day of August 2016, and the City Council will hold a public hearing at 7:30 p.m. on the 6th day of September 2016. The Planning and Zoning Commission and City Council hearings will be held at the Municipal Center located at 4000 Main Street, Rowlett, Texas.

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RETURN by Mail
City of Rowlett Planning Division
3901 Main Street
Rowlett, TX 75088



City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 08/23/2016

AGENDA ITEM: C3

AGENDA LOCATION

Individual Consideration

TITLE

Conduct a public hearing and make a recommendation on amendments to the Rowlett Development Code as it pertains to Directional Kiosk Signage in Sections 77-512 and 77-1100.

STAFF REPRESENTATIVE

Marc Kurbansade, Director of Development Services

SUMMARY

Approval to amend the Rowlett Development Code's (RDC) to allow for directional kiosk sign types. The purpose of this amendment is to allow offsite directional signs for residential single-family developments that are currently under construction (Attachment 1 – Example Kiosk Sign).

BACKGROUND INFORMATION

The signage regulations are located in Section 77-512 of the RDC. These regulations have been amended several times over the past four years, with the last major amendment occurring on May 15, 2012. Below is a list of those amendments and a brief summary of each:

- Ordinance No. 012-12 (approved May 15, 2012) – major amendment to signage code
- Ordinance No. 013-13 (approved May 21, 2013) – signage component minor as part of a larger code amendment; changes centered on wall, awning and menu boards
- Ordinance No. 022-14 (approved June 3, 2014) – clerical error
- Ordinance No. 001-15 (approved January 6, 2015) – clarified the approval process for signage for non-residential uses in residential districts.

Prior to the adoption of Ordinance 012-12, a work session was held before City Council on May 1, 2012. A link to this presentation is below:

<http://rowlettx.swagit.com/play/03022014-1382>

(Item 3E)

At this work session, there was discussion about residential kiosk signs. The decision was made at this time to not proceed with the inclusion of a residential kiosk sign program.

DISCUSSION

As stated in the Background section, residential kiosk signs were last discussed over four years ago. Since this work session, we have seen considerable growth and the demand from many

builders and developers for directional signs leading to their new developments. This proposed Code amendment is a result of what staff believes is a changed condition that was not present four years ago.

Currently the only method builders/developers have to direct the traveling public to their developments are off-site directional signs. These signs are regulated in Table 5.12-1, Section 77-512.E of the RDC. The regulations that currently exist are as follows:

- Sign must be at least three feet back from the curb and not in City Right-of-Way.
- Signs may not be placed earlier than noon on Friday and must come down no later than noon on Monday. If a holiday falls on Monday or Friday the sign may be extended an extra day.
- Signs may not be illuminated.
- Placers of signs shall have operating appropriate flashing lights and reflective tape on the vehicle and trailer when placing such signs.

The above-mentioned regulations currently in Table 5.12-1 of the RDC would be replaced by a new section of the RDC specifically addressing residential kiosk signs.

Per Section 77-804 of the RDC, text amendments should be considered based on the following criteria.

1. Whether the proposed amendment corrects an error or meets the challenge of some changing condition, trend, or fact;
2. Whether the proposed amendment is consistent with the comprehensive plan and the stated purposes of this Code;
3. Whether the proposed amendment will protect the health, safety, morals, and general welfare of the public;
4. Whether the proposed amendment will result in significant mitigation of adverse impacts on the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation; and
5. Whether the proposed amendment will advance the goals of the city council.

The proposed amendment is consistent with the preceding criteria. As stated previously, the volume of development within the City of Rowlett is at an unprecedented level. This certainly constitutes a changed condition, which is what prompted consideration of the proposed amendment. This amendment will protect the health, safety, morals, and general welfare of the public inasmuch that the directional signage will be in consistent locations that are more easily identifiable, thus allowing for greater safety of the vehicle traveling public. There are not any adverse conditions nor inconsistency with the Comprehensive Plan associated with this request.

In closing, staff believes the proposed amendment will be a benefit to both existing residents and potential future residents of the City. In fact, this type of signage is used in a number of other municipalities around the Metroplex.

Public Notice

As required by the RDC, notice of this public hearing was published in the Dallas Morning News on Thursday August 11, 2016. At the time this staff report was published, staff had not received any inquiries associated with the legal advertisement for the proposed Code amendment.

FINANCIAL IMPACT/BUDGET IMPLICATIONS

This Code amendment will not have direct financial implications per se. However, there will be financial implications associated with the companion license agreement to be considered by City Council. The terms are not finalized at this point, but the City of Rowlett would be expected to receive lease payments for the agreement to place directional signage in the city rights-of-way.

RECOMMENDED ACTION

Staff recommends that the Planning and Zoning Commission make a favorable recommendation to City Council regarding this request.

ATTACHMENTS

Attachment 1 – Example of Directional Kiosk Sign

Attachment 2 – Rowlett Development Code Strikethrough and Underline



Sec. 77-512. - Signs.

...

Figure 5.12-6

TABLE 5.12-1: SPECIFIC SIGN REGULATIONS					
	Number Allowed	Max. Area	Max. Height	Max. Width	Other Restrictions
TEMPORARY SIGNS					
Off-Site Directional Signs	N/A	1 sq. ft.	3 ft.	N/A	<p>Sign must be at least three feet back from the curb and not in City Right-of-Way.</p> <p>Signs may not be placed earlier than noon on Friday and must come down no later than noon on Monday. If a holiday falls on Monday or Friday the sign may be extended an extra day.</p> <p>Signs may not be illuminated.</p> <p>Placers of signs shall have operating appropriate flashing lights and reflective tape on the vehicle and trailer when placing such signs.</p>

...

G. Directional kiosk signs.

(a) Administration.

- (i) Directional kiosk signs may be installed only pursuant to an approved and executed license agreement approved by the city. All such agreements shall govern the license to design, erect, and maintain directional kiosk signs, and provide for city review and/or approval of the location and design of proposed directional kiosk signs. All license agreements shall be terminable at will without cause by, and without recourse to, the City.
- (ii) All directional kiosk signs are subject to all permitting requirements set forth in this code.

- (b) Location. All directional kiosk signs shall comply with the following regulations unless the applicable executed license agreement provides otherwise:
- (i) Directional kiosk signs shall be located so as not to create a traffic hazard or to obstruct the visibility of motorists, pedestrians, or traffic control signs, signals or devices. The Director of Development Services shall exclusively determine whether a proposed sign location constitutes a traffic hazard or obstructs visibility.
 - (ii) Directional kiosk signs shall be located so as not to interfere with the general use of and accessibility of sidewalks, walkways, bike and hiking trails by pedestrians, bicycles and persons with disabilities.
 - (iii) Directional kiosk signs shall be located so as not to interfere with any public utilities or be located in a utility easement.
 - (iv) Directional kiosk signs shall not be located within a sight distance triangle, as defined in this code and as determined by the Director.
 - (v) Directional kiosk signs may not be placed adjacent to a lot with a residential use without the prior written consent of the lot owner(s) as identified on the city's most recent tax rolls. Proof of prior written consent must be attached to permit applications for all directional kiosk signs so located. If a residential use is assigned to a lot adjacent to a preexisting directional kiosk sign, no written consent is required.
 - (vi) Directional kiosk signs must be placed at least 100 feet away from the nearest directional kiosk sign.
 - (vii) Directional kiosk signs may be located within a median with approved site safety conditions.
 - (viii) Directional kiosk signs must be located at least five feet from the edge of all curbs and pavement lines, including improved surfaces and shoulders.
- (c) Design. All directional kiosk signs shall comply with the following regulations unless the applicable executed license agreement provides otherwise:
- (i) Directional kiosk signs may not exceed 12 feet in height and four feet in width.
 - (ii) Directional kiosk signs must include breakaway design features as set forth by the Texas Department of Transportation's Sign Mounting Details for Roadside Signs. Breakaway fittings must be installed below grade or otherwise concealed from public view.

- (iii) The font and color of all directional kiosk signs must be uniform throughout the entire sign.
- (iv) Directional kiosk signs may not be illuminated.
- (v) Each directional kiosk sign must include at the top of the sign an identification panel displaying only the name and official city logo.
- (vi) No lights, signs, pennants, flags, streamers, balloons or other devices or appurtenances used to attract visual attention may be attached to directional kiosk signs.

...

~~G.~~ H. *Sign review procedures*

...

Sec. 77-1105 – Other terms defined.

...

Sign Types.

...

Directional kiosk is a sign located within the city right-of-way, providing directions to subdivisions, homebuilders, and city facilities, installed and maintained by the city or a contractor authorized by the city.



City of Rowlett

Staff Report

Planning & Zoning Commission

4000 Main Street
P.O. Box 99
Rowlett, TX 75080-0099
www.rowlett.com

AGENDA DATE: 08/23/2016

AGENDA ITEM: C4

AGENDA LOCATION:

Individual Consideration

TITLE

Consider and make a recommendation to City Council regarding a tree mitigation plan and related tree removal permit application for more than three trees associated with Evergreen Senior Living. The subject property is located at 5611 Old Rowlett Road, further described Lot 1, Block 1, Evergreen at Rowlett Addition, City of Rowlett, Dallas County, Texas.

STAFF REPRESENTATIVE

Garrett Langford, AICP, Principal Planner

SUMMARY

This is a request to revise a tree mitigation plan for the Evergreen Senior Living development located at 5611 Old Rowlett Road (Attachment 1 – Location Map) that was previously approved by City Council on October 20, 2015 (Attachment 2 – Previously Approved Tree Mitigation Plan). The purpose of the revised plan is to remove an additional tree that was going to be saved. Removing the additional will increase the amount of mitigation required which the applicant is proposing to mitigate by planting additional replacement trees onsite.

BACKGROUND INFORMATION

The subject property was rezoned from Limited Office (O-1) to Planned Development 022-15 on June 2, 2015, (amended February 2, 2016) to allow for the senior apartment complex. Following the rezoning, the Planning and Zoning Commission approved the Preliminary Plat on September 22, 2015, the Development Plan (site, landscape, tree survey and façade plans) on October 27, 2015 and the Final Plat on February 16, 2016. The applicant obtained their administrative approvals for civil engineering plans and building plans on April 4, 2016, and began construction shortly thereafter.

The previously approved mitigation plan allowed for the removal of six protected trees totaling in 83 caliper inches while preserving two protected trees totaling in 27 caliper inches in tree mitigation credit. The remaining 56 caliper inches was to be mitigated by planting 14 four caliper inch replacement trees.

The applicants have completed utility installation and are preparing to start paving the fire lane, parking lot and the building foundations. In preparation to start pouring concrete, it came apparent to the applicants that one of the trees that was going to be saved is located too closely to a proposed garage (Attachment 3 – Letter of Request). The tree (tree #6 on the mitigation plan) is a 13-inch Hackberry tree that was shown on the previously approved tree mitigation plan to be located in the center of a proposed tree island between two garages. However, as the applicant

began staking out the location of the nearby garage, they realized that the tree is located much closer to the garage than what was anticipated. As a result, the applicant is now requesting to remove tree #6 which will increase the number of protected trees to be removed to seven totaling in 96 caliper inches (Attachment 4 – Revised Tree Survey and Preservation/Mitigation Plan). One 14-inch Hackberry tree will be saved resulting in a total of 82 caliper inches requiring mitigation. The applicant is proposing to mitigate all 82 caliper inches by planting an additional 21 four-inch caliper trees on site beyond the base landscaping requirements.

DISCUSSION

Per section 77-508. H of the Rowlett Development Code, “Tree preservation”. The purpose of tree preservation is as follows:

1. Purpose. The purpose of this section is to encourage the preservation of long-established trees of sizes that, once removed, can be replaced only after many generations of tree growth; to preserve protected trees during construction; and to control the removal of protected trees. It is the intent of this section to achieve the following:
 - (a) Prohibit the indiscriminate clearing of trees from property;
 - (b) To the greatest extent possible, preserve and maintain protected trees so as to enhance the quality of development;
 - (c) Protect and increase the value of residential and commercial properties within the city by maintaining the city's current tree inventory;
 - (d) Maintain and enhance a positive image for the attraction of new business enterprises to the city;
 - (e) Protect healthy quality trees and promote the natural ecological environmental and aesthetic qualities of the city; and
 - (f) Help provide needed shaded areas in order to provide relief from the heat by reducing the ambient temperature.

The City Council shall deny a tree removal permit and associated tree survey and preservation plan if it is determined that:

1. Removal of the tree is not reasonably required in order to conduct anticipated activities;
2. A reasonable accommodation can be made to preserve the tree; or
3. The purpose and intent of this subchapter is not being met by the applicant.

The proposed removal of an additional tree is needed in order to conduct anticipated activities on the site and no reasonable accommodation could be made. To deny the removal will require the developer to substantially re-configure their proposed development. As such, Staff is in support of the subject tree removal and mitigation plan.

FISCAL IMPACT

N/A

RECOMMENDED ACTION

Staff requests that the Planning and Zoning Commission make a favorable recommendation to the City Council regarding the applicant's request to remove 96 caliper inches and mitigate the required 82 caliper inches on site by planting an additional 21 trees beyond the base landscaping requirements.

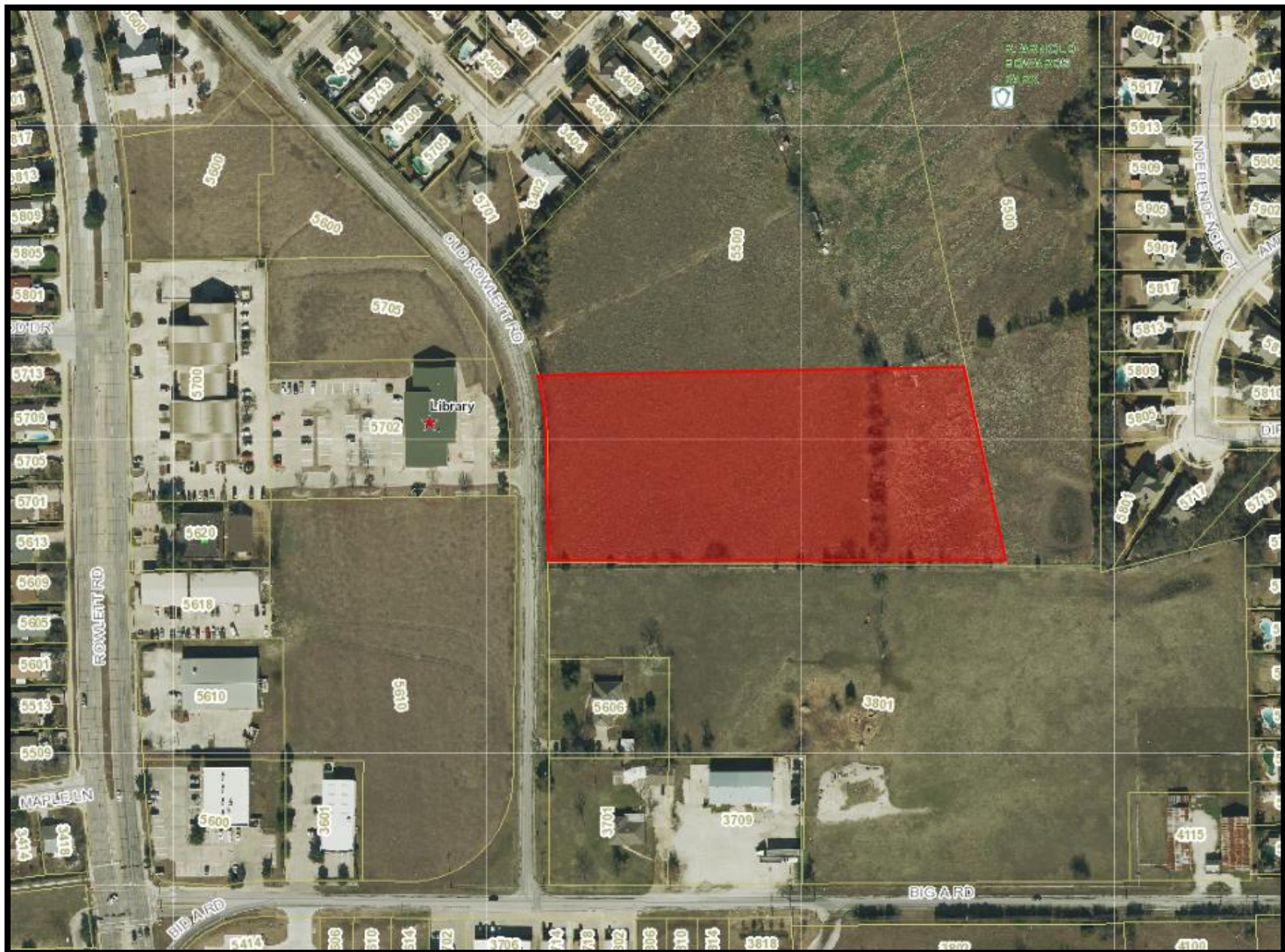
ATTACHMENTS

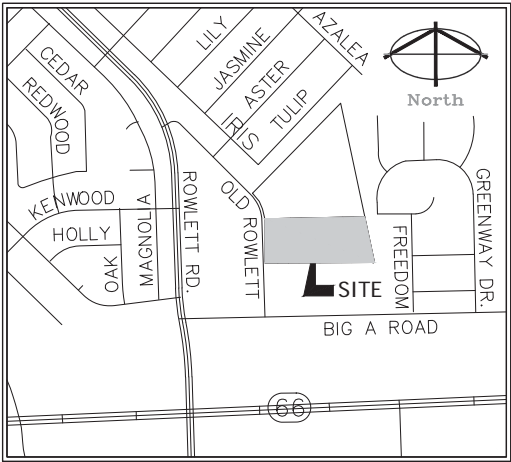
Attachment 1 – Location Map

Attachment 2 – Previously approved Tree Mitigation Plan

Attachment 3 – Letter of Request

Attachment 4 – Revised Tree Mitigation Plan





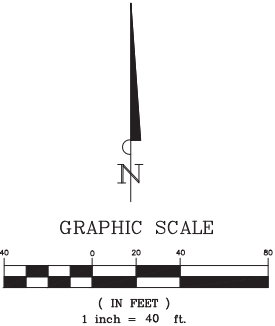
VICINITY MAP
N.T.S.

LOT 1R, BLOCK 1
ROWLETT MEDICAL PLAZA ADDITION
INST. No. 201300383770
O.P.R.D.C.T.

TRACT 40
MASTER TOUCH INV GROUP LLC
INST. NO. 20070391220
O.P.R.D.C.T.

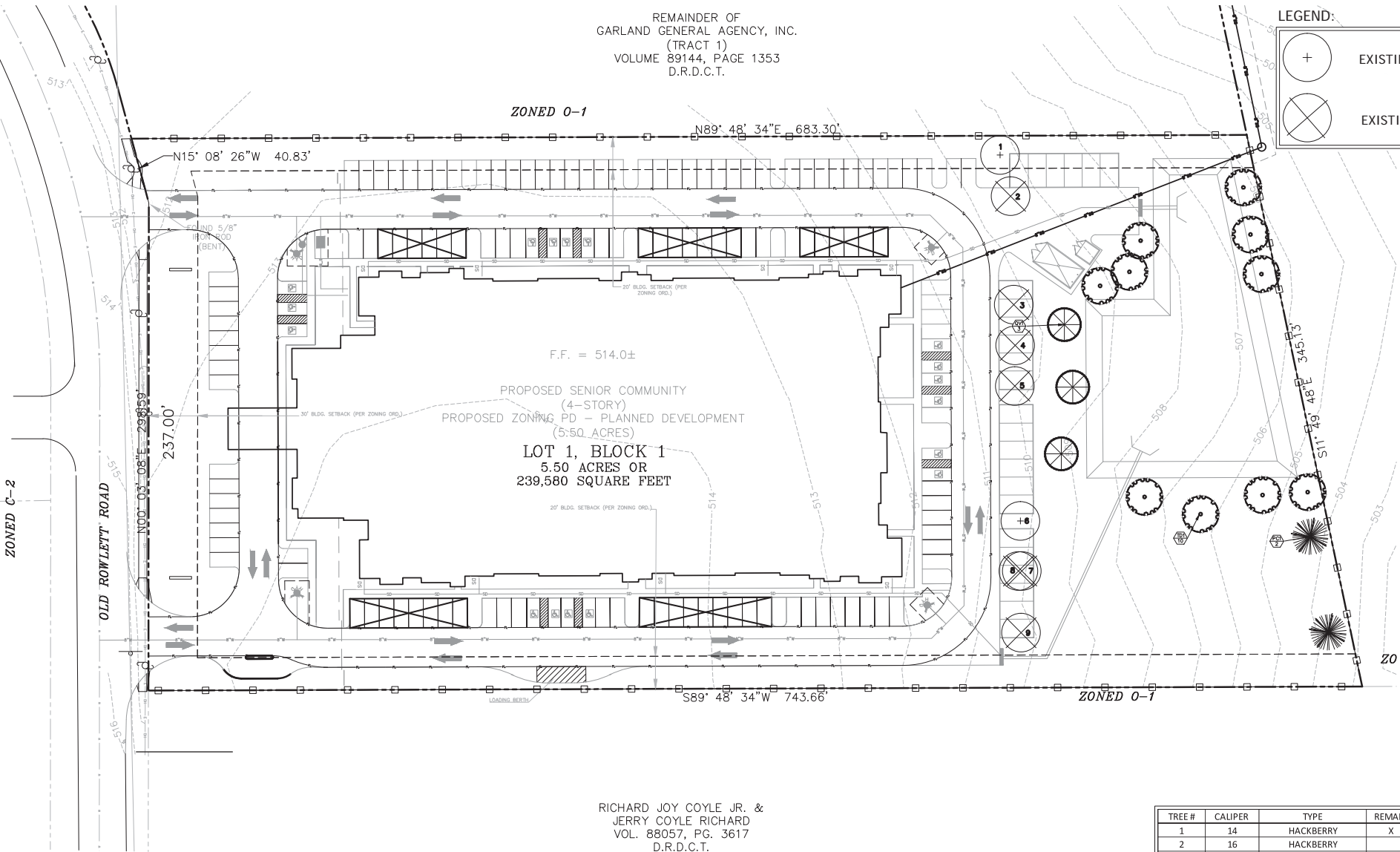
Approved by Rowlett City Council
October 20, 2015

REMAINDER OF
GARLAND GENERAL AGENCY, INC.
(TRACT 1)
VOLUME 89144, PAGE 1353
D.R.D.C.T.

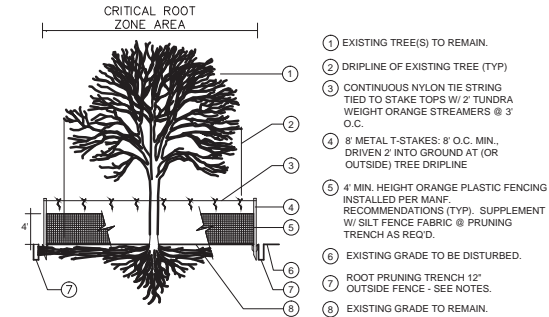


LEGEND:

- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED



- NOTES:
1. PERFORM ROOT PRUNING ON ALL EXISTING TREES TO REMAIN WHERE CONSTRUCTION ACTIVITY FALLS WITHIN DRIP LINE OF EXISTING TREES.
 2. ROOT PRUNING METHOD: 2 MONTHS MIN. PRIOR TO EXCAVATION & CONSTRUCTION ACTIVITIES, HAND CUT ROOTS BY DIGGING A 18"-24" DEEP x 8" WIDE TRENCH ALONG THE OUTSIDE PERIMETER OF EXISTING TREE(S) ADJACENT TO CONSTRUCTION AREAS. MAXIMIZE PRUNING TRENCH DISTANCE FROM TRUNK TO THE FULLEST EXTENT POSSIBLE, WITH THE ROOT PRUNING LINE PLACED @ THE EDGE OF CONSTRUCTION LIMITS.



D TREE PROTECTION DETAIL

NOT TO SCALE

MITIGATION PLANT LIST:

SYMBOL	QUANTITY	BOTANICAL NAME	COMMON NAME	SIZE	SPECIFICATION
TREES					
QV1	3	Quercus virginiana	LIVE OAK	100 GAL.	4" CAL., 12' HT., FULL, MATCHING, SYMMETRICAL
TD1	10	Taxodium distichum	BALD CYPRESS	100 GAL.	4" CAL., 12' HT., FULL, MATCHING, SYMMETRICAL
PC1	2	Pistachia chinensis	CHINESE PISTACHE	100 GAL.	4" CAL., 12' HT., FULL, MATCHING, SYMMETRICAL

ENGINEER/SURVEYOR:
BANNISTER ENGINEERING, LLC
1696 COUNTRY CLUB DR.,
MANSFIELD, TX 76063
(817) 842-2094
CONTACT: TRAVIS ATTANASIO

OWNER:
GARLAND GENERAL AGENCY, INC.
819 MAIN STREET
GARLAND, TX 75040
(972) 276-5673

APPLICANT:
CHURCHILL RESIDENTIAL, INC.
5605 N. MACARTHUR BLVD. SUITE 580
IRVING, TX 75038
(972) 550-7800
CONTACT: BRAD FORSLUND

TREE #	CALIPER	TYPE	REMAIN	REMOVE	NOTES
1	14	HACKBERRY	X		
2	16	HACKBERRY		X	
3	11	HACKBERRY		X	
4	11	HACKBERRY		X	
5	15	HACKBERRY		X	
6	13	HACKBERRY	X		
7	13	HACKBERRY		X	
8	10	HACKBERRY		X	
9	17	HACKBERRY		X	
TOTAL	120		27	93	

TOTAL CALIPER INCHES EXISTING:	120
TOTAL CALIPER INCHES TO BE REMOVED:	93
TOTAL CALIPER INCHES TO REMAIN:	27
TOTAL CALIPER INCHES FOR MITIGATION:	56
TOTAL CALIPER INCHES MITIGATED:	60



Know what's below.
Call before you dig.

(@ least 48 hours prior to digging)

INFORMATION ON THIS SHEET IS PERTINENT TO ALL OTHER DESIGN SHEETS IN THIS SET OF DRAWINGS. THE CONTRACTOR SHALL NOT SEPARATE DRAWINGS FROM THE SET FOR DISTRIBUTION TO SPECIFIC DISCIPLINES. EACH SUBCONTRACTOR SHALL BE PROVIDED WITH ALL SHEETS WITHIN THIS PLAN SET.

EVERGREEN AT ROWLETT ADDITION
CITY OF ROWLETT
DALLAS COUNTY, TEXAS

TREE PRESERVATION PLAN

BANNISTER
ENGINEERING
240 N. Mitchell Road
Mansfield, TX 76063 | 817.842.2094 | 817.842.2095 fax
REGISTRATION # F-10599 (TEXAS)

REVISIONS

FOR REVIEW ONLY

THESE DOCUMENTS ARE FOR REVIEW ONLY AND NOT FOR CONSTRUCTION. ANY CHANGES OR MODIFICATIONS MUST BE APPROVED BY THE ARCHITECT AND ENGINEER UNDER THE SUPERVISION OF:

Architect: JEFFREY W. LINER

PROJECT NO.: 055-15-03

L.A. No. 2033 Date: 10/09/2015

SHEET NO.

L-1.1



August 16, 2016

Mr. Garrett Langford
City of Rowlett
3901 Main Street
Rowlett, TX 75088

RE: Evergreen at Rowlett Existing Tree Letter

Mr. Langford,

Due to onsite observation after construction staking has been performed for the new parking garages at the rear of the property, it was noticed that the existing tree that we intended to save is actually further into the garage than originally depicted. The tree in question is a 13" Hackberry tree, which is usually considered a "trash" tree due to the low life expectancy due to it being a weak wooded tree. This in turn creates tree rot and broken branches that start to fall during high winds and other weather typical to North Texas. The tree was marked for saving based on the survey data provided at that time. It is now evident that the tree falls within our building area depicted on the revised Tree Preservation Plan. In order to avoid hindering continued construction or moving and redesigning the parking garage, we are asking that we be able to remove the tree and plant new trees around the site in efforts to mitigate to the fullest extent.

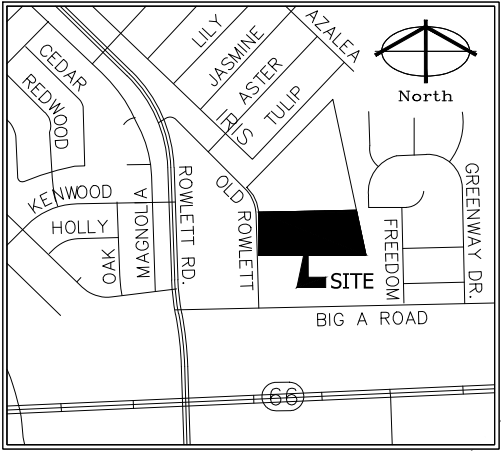
Should you have any questions, please feel free to contact me.

Respectfully,

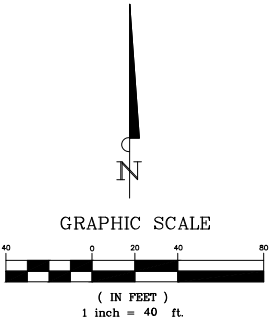
Bannister Engineering, LLC

A handwritten signature in blue ink, appearing to read 'Drew Dubocq', is written over the printed name.

Drew Dubocq, RLA, LI 17104



VICINITY MAP
N.T.S.



- LEGEND:
- EXISTING TREE TO REMAIN
 - EXISTING TREE TO BE REMOVED

LOT 1R, BLOCK 1
ROWLETT MEDICAL PLAZA ADDITION
INST. NO. 201300383770
O.P.R.D.C.T.

TRACT 40
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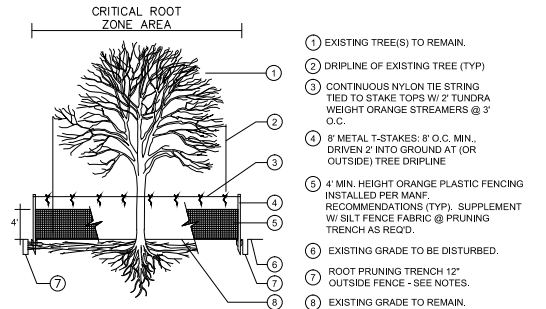
REMAINDER OF
GARLAND GENERAL AGENCY, INC.
(TRACT 1)
VOLUME 89144, PAGE 1353
D.R.D.C.T.

LOT 1, BLOCK 1
5.50 ACRES OR
239,580 SQUARE FEET

Revised - Tree #6 to be removed due
to conflict with the garage building.

RICHARD JOY COYLE JR. &
JERRY COYLE RICHARD
VOL. 88057, PG. 3617
D.R.D.C.T.

- NOTES:
- PERFORM ROOT PRUNING ON ALL EXISTING TREES TO REMAIN WHERE CONSTRUCTION ACTIVITY FALLS WITHIN DRIP LINE OF EXISTING TREES.
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D TREE PROTECTION DETAIL

NOT TO SCALE

2

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PC1	2	Pistachia chinensis	CHINESE PISTACHE	100 GAL.	4" CAL., 12' HT., FULL MATCHING, SYMMETRICAL
QS1	5	Quercus shumardii	RED OAK	100 GAL.	4" CAL., 12' HT., FULL MATCHING, SYMMETRICAL

ENGINEER/SURVEYOR:
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OWNER:
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819 MAIN STREET
GARLAND, TX 75040
(972) 276-5673

APPLICANT:
CHURCHILL RESIDENTIAL, INC.
5605 N. MACARTHUR BLVD., SUITE 580
IRVING, TX 75038
(972) 550-7800
CONTACT: BRAD FORSLUND

TREE #	CALIPER	TYPE	REMAIN	REMOVE	NOTES
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4	11	HACKBERRY	X		
5	15	HACKBERRY		X	
6	13	HACKBERRY		X	
7	13	HACKBERRY		X	
8	10	HACKBERRY		X	NOT PROTECTED
9	17	HACKBERRY		X	
TOTAL	120		14	96	

TOTAL CALIPER INCHES EXISTING:	120
TOTAL CALIPER INCHES TO BE REMOVED:	96
TOTAL CALIPER INCHES TO REMAIN:	14
TOTAL CALIPER INCHES FOR MITIGATION:	82
TOTAL CALIPER INCHES MITIGATED:	84



Know what's below.
Call before you dig.
(@ least 48 hours prior to digging)

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EVERGREEN AT ROWLETT ADDITION

CITY OF ROWLETT
DALLAS COUNTY, TEXAS

TREE PRESERVATION PLAN

Revision Description
No. Date
2 08.12.16 TREE REMOVAL AND MITIGATION



SHEET NO.

L-1.1